



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

FEB 14 2017

CERTIFIED MAIL 7016 0600 0000 3846 7664
RETURN RECEIPT REQUESTED

Mr. Jerriot Smash
Interim Director
Department of Public Works
City of Jackson
200 South President Street
P.O. Box 17
Jackson, Mississippi 39205-0017

Re: Information Request – Section 308 of the Clean Water Act
City of Jackson, Mississippi Consent Decree
Case No.: 3:12-cv-790 TSL-JMR

Dear Mr. Smash:

On December 14, 2016, the U.S. Environmental Protection Agency issued an information request letter pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, to the City of Jackson (the City) related to your October 6, 2016 letter. A copy of the information request letter is enclosed. According to the EPA records, the response to this information request letter was due on January 18, 2017. To date, the EPA has not received a response to the information request letter.

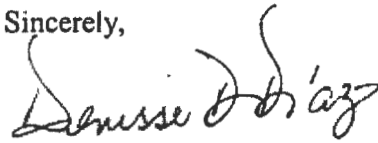
The EPA reminds the City that it is potentially subject to a civil penalty pursuant to Section 309 of the CWA, 33 U.S.C. § 1319, for failing to timely respond to the information request.

Please respond to the below address with a projection of when the EPA can expect the City's response to the enclosed information request letter.

U.S. Environmental Protection Agency, Region 4
Water Protection Division - NPEB
Attn.: Mr. Dennis Sayre
61 Forsyth Street, S.W., Mailcode 9T25
Atlanta, Georgia 30303-8960

If you have questions regarding this notice, please feel free to contact Mr. Dennis Sayre at (404) 562-9756 or Mr. Brad Ammons at (404) 562-9769.

Sincerely,

A handwritten signature in black ink, appearing to read "Denisse D. Diaz". The signature is fluid and cursive, with the first name "Denisse" and last name "Diaz" clearly distinguishable.

Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosure

cc: Mr. Les Herrington, P.E.
Mississippi Department of Environmental Quality

Mayor Tony Yarber
City of Jackson

Mr. Terry Williamson
City of Jackson



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DEC 14 2016

CERTIFIED MAIL 7016 0600 0000 3846 7725
RETURN RECEIPT REQUESTED

City of Jackson
c/o Mr. Jerriot Smash
Interim Director
Department of Public Works
P.O. Box 17
Jackson, Mississippi 39205-0015

Re: Information Request – Section 308 of the Clean Water Act
City of Jackson, Mississippi Consent Decree
Case No.: 3:12-cv-790 TSL-JMR

Dear Mr. Smash:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency hereby requests the City of Jackson (the City) to provide the information set forth in Enclosure A regarding compliance with the Consent Decree (CD) noted above. The City is required to respond to this information request within thirty (30) days of its receipt of this letter. The response should be directed to:

Mr. Dennis Sayre
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The City's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my

knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

The City shall preserve until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you have questions regarding this notice and information request, please feel free to contact Mr. Dennis Sayre at (404) 562-9756.

Sincerely,



Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosure

cc: Mr. Les Herrington, P.E.
Mississippi Department of Environmental Quality

Mayor Tony Yarber
City of Jackson

Mr. Terry Williamson
City of Jackson

ENCLOSURE A

The following questions in this Enclosure are directly related to the October 6, 2016, letter (the Letter) from Mayor Tony Yarber, City of Jackson, to Ms. Heather McTeer Toney, Regional Administrator, EPA Region 4, and to the City's 7th Semi-Annual Report, submitted pursuant to Paragraph 57.b of the CD:

1. In the Letter, the City represents that failure of the City "to approve the Department of Public Work's recommendation to contract with the best proposer for Consent Decree Program Management is now affecting the City's ability to meet the next scheduled deadline" in submitting the Prioritization Report and other Work (as defined in Paragraph 8.rr of the CD). The EPA has the following questions:
 - a. With respect to the West Bank Interceptor Rehabilitation Plan which the EPA approved on October 13, 2016, please explain in detail how the plan is impacted in the absence of a contracted Program Manager (PM), including specifically the scheduled Work contained in the plan.
 - b. The Sewershed Prioritization Report is due to the EPA, pursuant to Paragraph 25 of the CD, on or before February 17, 2017. Please explain in detail how the Prioritization Report is impacted by the absence of a contracted PM, including all items listed in Paragraph 25(a) through 25(g) of the CD.
 - c. The EPA received the City's Composite Correction Plan (CCP) on April 26, 2016. Assuming the EPA approves the plan as submitted, explain in detail how the CCP is impacted by the absence of a contracted PM, including specifically the implementation schedule associated with the plan.
 - d. Explain in detail how the following approved Capacity, Management, Operation and Maintenance (CMOM) programs are impacted by the absence of a contracted PM, including specifically the implementation schedules associated with each program.
 - i. Training Program
 - ii. Sanitary Sewer Overflow Response Plan
 - iii. Inter-Jurisdictional Agreement Program
 - iv. Private Lateral Program
 - v. Pump Station Operations Program
 - vi. Fats, Oils, and Grease Program
 - vii. Gravity Line Preventive Maintenance Program
 - viii. Wastewater Treatment Plant Operation and Maintenance Program
 - e. The EPA provided comments to the City in a letter dated September 28, 2016, on the Water Quality Monitoring Program which the City received on October 6, 2016. Pursuant to Paragraph 13 of the CD, and as stipulated in the comment letter, the City must resubmit a revised Water Quality Monitoring Program deliverable on or before December 5, 2016. Please explain in detail how resubmittal and implementation of the Water Quality Monitoring Program has been and will be impacted by the absence of a contracted PM.

ENCLOSURE A

- f. The City's "13th Quarterly Report" was due to the EPA by July 30, 2016, which the EPA received on August 9, 2016. The City's "7th Semi-Annual Report" was due by August 30, 2016, which the EPA received on October 24, 2016. Please explain the delay in the timely submission of these reports and whether such delay was related to the absence of a contracted PM.
- g. Provide receipts of Escrow payments due on August 1, 2014, and August 1, 2016, pursuant to Paragraph D.1 of Appendix F of the CD.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 18 2017

CERTIFIED MAIL 7016 0600 0000 3846 7992
RETURN RECEIPT REQUESTED

Mr. Mike Hilyer
Director, Public Works
City of Opelika
Post Office Box 390
Opelika, Alabama 36801

Re: Information Request – Section 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit Nos.: AL0050130 and AL0059218 for
the Opelika Westside Wastewater Treatment Plant (WWTP) and the Opelika Eastside WWTP

Dear Mr. Hilyer:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency hereby requests the City of Opelika (the City) to provide the information set forth in Enclosure A regarding the Wastewater Treatment Facilities (WWTFs) noted above and their associated Wastewater Collection and Transmission Systems. The City is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Ms. Laurie Jones
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The EPA is issuing this information request to determine the City's progress in improving, developing, and/or implementing Management, Operations, and Maintenance programs and progress towards eliminating SSOs as described in the Notice of Violation issued to the City on August 29, 2013.

The City's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my

inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

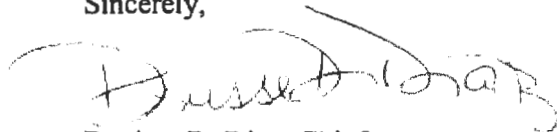
Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

The City shall preserve until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

If you have questions regarding this notice and information request, please feel free to contact Ms. Laurie Jones at (404) 562-9201.

Sincerely,

A handwritten signature in black ink, appearing to read "Denisse D. Diaz", is written over a horizontal line.

Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures (2)

cc: Ms. Glenda Dean
Alabama Department of Environmental Management

ENCLOSURE A
SSO PROGRAM
City of Opelika, Alabama

1. Provide the following:
 - a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the City's WWTFs;
 - d. The average design flow of the City's WWTFs;
 - e. The peak design flow of the City's WWTFs;
 - f. The annual average flow of the City's WWTFs; and
 - g. The population served by the City's WWTFs and their respective SSSs.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from November 2012 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the City was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the City (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the City has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.
4. Provide a copy of any additional City procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of Alabama.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the City's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS (40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 10 2017

CERTIFIED MAIL 7016 0600 0000 3846 7909
RETURN RECEIPT REQUESTED

City of Calhoun
Attn: Mr. Jerry Crawford
Director, Wastewater Department
700 West Line Street
Calhoun, Georgia 30701

Re: Information Request – Section 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit No.: GA0030333
City of Calhoun Wastewater Treatment Plant (WWTP)

Dear Mr. Crawford:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency hereby requests that the City of Calhoun (the City) provide the information set forth in Enclosure A regarding the facilities noted above and their associated sanitary sewer collection systems. The City is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Mr. Richard Elliott, P.E.
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The EPA is issuing this information request to determine the City's progress in developing and implementing written Management, Operations, and Maintenance programs, rehabilitation of the Wastewater Collection and Transmission System and progress towards eliminating Sanitary Sewer Overflows (SSOs) as described in the Notice of Violation issued to the City on April 02, 2015.

The City's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or

persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.


The City shall preserve until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the City of its obligations to EPA or the State of Georgia, does not create any new rights or defenses, and will not affect EPA's decision to pursue enforcement action.

If you have questions regarding this notice and information request, please feel free to contact Mr. Richard Elliott at (404) 562-8691.

Sincerely,



Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures (3)

cc: Mr. Lewis Hays
Georgia Environmental Protection Division

ENCLOSURE A

SSO PROGRAM City of Calhoun, Georgia

1. Provide the following:
 - a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the City's WWTP;
 - d. The average design flow of the City's WWTP;
 - e. The peak design flow of the City's WWTP;
 - f. The annual average flow of the City's WWTP; and
 - g. The population served by the City's WWTP and their respective SSSs.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from December 2011 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the City was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the City (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the City has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.
4. Provide a copy of any additional City procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of Georgia.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the City's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS (40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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ATLANTA, GEORGIA 30303-8960

JAN 20 2017

CERTIFIED MAIL 7016 0600 0000 3846 8029
RETURN RECEIPT REQUESTED

Phoenix Chemical Company, Inc.
ATTN: Mr. John E. Bryant
Chief Executive Officer
202 Gee Road
Calhoun, Georgia 30701

Re: Information Request Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, for Phoenix Chemical Company, Inc., Calhoun, Gordon County, Georgia

Dear Mr. Bryant:

On March 1, 2016, a contractor for the U.S. Environmental Protection Agency Region 4 performed an Industrial User Inspection of Phoenix Chemical Company, Inc.'s facility (Facility) located at 202 Gee Road in Calhoun, Gordon County, Georgia. The purpose of the inspection was to evaluate Phoenix Chemical Company Inc.'s compliance with the requirements of Sections 301 and 307(d) of the Clean Water Act (CWA), 33 U.S.C. §§ 1311 and 1317(d); and the regulations promulgated thereunder at 40 C.F.R. Parts 403 and 417. A copy of the industrial user inspection report is enclosed as Enclosure A.

The EPA is continuing to investigate the Phoenix Chemical Company, Inc.'s compliance with the CWA. Therefore, pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, the EPA hereby requests that the Phoenix Chemical Company, Inc. provide the information set forth in Enclosure B within twenty-one (21) calendar days of your receipt of this letter.

The Phoenix Chemical Company, Inc.'s response should be submitted to:

Mr. Brad Ammons
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
Atlanta Federal Center (MC 9T25)
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Failure to provide a full and complete response to this information request or to adequately justify a failure to respond within the time frame specified above may result in an EPA enforcement action pursuant to federal law, including, but not limited to Section 309 of the Clean Water Act, 33 U.S.C. § 1319, and 18 U.S.C. § 1001.

If Phoenix Chemical Company, Inc. believes that any of the requested information constitutes confidential business information, it may assert a confidentiality claim with respect to such information.

except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure C.

All information submitted in response to this information request must be accompanied by the following certification that is signed by a duly authorized official in accordance with 40 C.F.R. § 403.12(1):

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

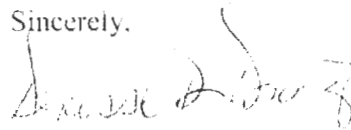
Please be aware that the EPA may use information provided in response to this information request in any enforcement proceeding related to this matter.

Enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* to assist Phoenix Chemical Company Inc. in understanding the compliance assistance resources and tools available to it. Any decision to seek compliance assistance at this time, however, does not relieve Phoenix Chemical Company Inc. of its obligation to the EPA nor does it create any new rights or defenses and will not affect the EPA's decision to pursue enforcement action.

In addition, the Securities and Exchange Commission (Commission) requires its registrants to periodically disclose environmental legal proceedings in statements filed with the Commission. To assist Phoenix Chemical Company, Inc., the EPA has also enclosed a document entitled *Notice of Securities and Exchange Commission Registrants' Duty to Disclose Environmental Legal Proceedings*.

Please contact Mr. Brad Ammons at (404) 562-9769 if you have any questions or concerns. Legal inquiries should be directed to Ms. Suzanne Armor, Associate Regional Counsel, at (404) 562-9701.

Sincerely,



Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures

cc: Mr. Bert Langley
Georgia Environmental Protection Division

Mr. Jerry Crawford
City of Calhoun Wastewater Department

Final Report
Phoenix Chemical Company, Inc.
Industrial User Pretreatment Reconnaissance Inspection
March 1, 2016

Prepared for:
EPA Region 4
61 Forsyth Street, S.W.
Atlanta, GA 30303-8960

Prepared by:
PG Environmental, LLC
607 10th Street; Suite 307
Golden, CO 80401-5817

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I. Introduction

On March 1, 2016, Kettie Holland of PG Environmental, LLC, conducted a pretreatment reconnaissance inspection of the Phoenix Chemical Company, Inc. (Phoenix Chemical or facility) on behalf of the U.S. Environmental Protection Agency (EPA) Region 4. The facility address and mailing address are the same: 202 Gee Road, Calhoun, GA 30701. The Georgia Department of Natural Resources' Environmental Protection Division (State of Georgia) or the City of Calhoun (City) have not issued a permit to the facility. EPA notified the State of Georgia in advance of the pretreatment reconnaissance inspection activity pursuant to its Memorandum of Agreement. Ms. Stacey Wix of the State of Georgia accompanied Ms. Holland during the inspection.

The facility is located in an industrial area northeast of Interstate 75. The facility consists of a process area and an administrative office within a warehouse (Administrative Building), a second warehouse used for storage, and a wastewater treatment area outside on an uncovered concrete pad. The facility's latitude and longitude coordinates are 34.555004 and -84.928468, respectively.

II. Entry

Ms. Wix and Ms. Holland arrived at the facility at 2:00 P.M. and spoke with an administrative assistant at the entrance of the facility. Ms. Holland informed the administrative assistant of the reason for the visit. Ms. Holland asked whom the appropriate person would be to meet with to discuss facility operations and potential wastewater generating operations. Ms. Wix and Ms. Holland signed in at the front of the facility and then met with Mr. John Bryant, the Owner of the Facility. The group exchanged introductions, and Ms. Holland provided a preliminary explanation of the purpose of the inspection.

III. Opening Conference

The group proceeded to Mr. Bryant's office, and Ms. Holland presented credentials and provided a full explanation of the purpose and intent of the pretreatment reconnaissance inspection. Ms. Holland requested that Mr. Bryant provide a description of the facility's onsite operations and wastewater generating processes.

Mr. Bryant stated that Phoenix Chemical moved into the facility approximately three years ago, and that they mix batches of chemicals used in water treatment processes, in textile industries, and in carpet industries. Mr. Bryant stated that the facility generates wastewater from its chemical tote and reactor washing process: the wastewater generated from the process is collected, the solids are allowed to settle, and the decant is pumped into two wastewater holding tanks. The pretreatment operators collect a sample of the wastewater and analyze the pH of the wastewater at the facility's onsite laboratory. Depending upon the result of the analysis, the pretreatment operators adjust the pH of the wastewater, if needed, and then discharge to the City's publicly owned treatment works (POTW).

Mr. Bryant stated that representatives from the City are at the facility regularly, at least on a monthly basis. He stated that the City required the facility to install a batch wastewater treatment system for pretreating the wastewater prior to discharging to the POTW. Mr. Bryant stated that the facility previously had a pH discharge of 1.78 standard units (s.u.) and the City issued a notice of violation (NOV) letter to the facility in response to the low pH discharge. Mr. Bryant stated that the facility is operational 24 hours per day, Monday through Friday, and occasionally on Sundays.

He stated that the wastewater treatment operators leave the facility around 2:00 P.M., thus a wastewater treatment operator was not at the facility during the inspection. The facility does not discharge wastewater to the POTW while the pretreatment operators are not at the facility.

The facility was in the process of expanding its operation at the time of the inspection. Mr. Bryant explained that as a component of the expansion, the facility planned to expand its mixing operation, install additional reactors, and add tanks for raw material storage.

IV. Tour of Operations

The group exited Mr. Bryant's office and proceeded to the process area in the rear of the Administrative Building. The facility has six reactors for mixing chemicals: two have a capacity of 2,500 gallons, two have a capacity of 3,500 gallons, one has a capacity of 4,000 gallons, and one has a capacity of 6,000 gallons. Mr. Bryant explained that facility employees rinse the vessels with water and steam, and that the reactor rinsing process does not use other soaps or chemicals. Trench drains collect this process wastewater and convey it to the pretreatment system (Photograph 1).

The group exited the indoor process area and proceeded to the wastewater pretreatment system located outdoors. As the group proceeded, Ms. Holland observed etching on the outdoor concrete surface. Mr. Bryant explained that this was the result of an acid spill (Photographs 2 and 3).

Mr. Bryant explained that the process wastewater generated at the facility, in addition to stormwater, collects in the loading dock bay in front of the storage warehouse (Photograph 4). Specifically, trench drains convey process wastewater generated from the reactor and tote washing processes to the loading dock area, collecting in the outdoor loading dock bay. Mr. Bryant referred to the loading dock bay as the "oil and water separator." He explained that wastewater from the trench drains, in addition to wastewater that may flow through the process area and collect in the dock bay, is pumped from the first chamber (i.e., the sloped dock bay) to the second chamber (i.e., concrete box at the base of the dock bay). Wastewater from the second chamber of the oil and water separator is pumped into one of two wastewater holding tanks, each with an approximate capacity of 9,000 gallons (Photographs 5 and 6).

Ms. Holland observed that the wastewater within the oil and water separator chambers was dark in color. Mr. Bryant stated that solids collected within the oil and water separator are pumped out and hauled offsite by a contractor one to two times per year.

The group then proceeded to inspect the two wastewater holding tanks, located at the southeastern corner of the outdoor concrete pad. After the pH of the wastewater within the tanks has been measured and adjusted as needed, the pretreatment operators discharge the contents of the tanks to the City's POTW. Mr. Bryant stated that the facility discharges wastewater to the same sewer line as the soap company, Chemtex, located to the west of the facility.

Ms. Holland observed that both the wastewater holding tanks were empty at the time of the inspection. Mr. Bryant explained that the pretreatment operators had discharged the wastewater generated at the facility for the day to the City's POTW prior to the inspection. Ms. Holland asked if the facility kept a record of discharges. Mr. Bryant provided a log of discharge events (refer to Section VI, Records Review). Ms. Holland asked how the facility would handle the wastewater if the pH was out of range and could not be properly adjusted. Mr. Bryant stated that the facility would hold the wastewater in the holding tanks and have it hauled offsite for disposal.

After observing the wastewater holding tanks, Ms. Holland observed that a valve at the bottom of a chemical tote was open, and the content of the tote was discharging into a trench drain. Mr. Bryant stated that he was unsure what the tote contained, and that the content of the tote would be collected in the oil and water separator and would be treated (i.e., receive pH adjustment) prior to discharge to the City's POTW (Photographs 7 through 9).

The group then proceeded to inspect the warehouse where raw and finished products were stored. At the time of the inspection Ms. Holland observed a trench drain that ran through the warehouse and had collected solids. Mr. Bryant explained that the facility removes the solids from the trench on an annual basis. Mr. Bryant stated that the trench drains within this area of the facility had been sealed and do not flow to the pretreatment system.

Ms. Holland observed a chemical blending operation within the warehouse. Mr. Bryant explained that employees wash totes that contain finished product prior to the blending operation. Ms. Holland observed that wastewater generated from the tote washing process collects in the floor trench drains and is allowed to evaporate (Photographs 10 through 12).

Mr. Bryant explained that the facility plans to construct a 60,000 square-foot warehouse during the summer of 2016. He also stated that the facility was in the process of installing additional reactors for a blending operation (Photograph 13). Ms. Holland observed the installation and assembly of the additional tank reactors at the time of the inspection. The installation occurred in a process area separate than the area housing the active reactors. At the time of the inspection, the facility had installed a stainless steel trench drain for wastewater collection from the new reactors, in addition to plastic bulk tanks for storing sulfuric acid.

Mr. Bryant expected that the blending operation would be complete and operational during the third quarter of 2016. Mr. Bryant stated that the wastewater treatment system has excess capacity to accommodate the facility's expansion. Mr. Bryant stated that the facility notified the City of the planned expansion and that the facility has been working closely with the City during this process.

Ms. Holland asked how the facility handled off-specification product and samples for quality assurance purposes. Mr. Bryant stated that in the event that an off-specification product arises, the facility blends the off-specification product into a similar product. Mr. Bryant also stated that the facility reintroduces the quality assurance/quality control and off-specification products into similar final products.

V. Follow-Up Interview

After the site inspection, on June 28, 2016, Ms. Holland had a follow-up phone conversation with Mr. Bryant. Ms. Holland asked a series of questions in order to clarify the facility's operations and wastewater generating practices.

Ms. Holland asked Mr. Bryant about the specific classes of chemicals manufactured at the facility. Mr. Bryant stated that the facility provides approximately 80% of the chemicals it manufactures to the carpet and textile industry. These products include textile auxiliary chemicals such as wetting agents, defoamers, and froth acids. Mr. Bryant stated that the main ingredients for the wetting agents include alcohol ethoxylate, and an oleyl amine and ethylene oxide mixture. He also stated that the frothing acids include ammonium lauryl sulfate and sodium lauryl sulfate. The facility also uses various types of acids and caustics. The facility blends water with the main ingredients to manufacture final products for sale.

Mr. Bryant also stated that the facility submitted a notice of intent (NOI) to the State of Georgia and filed under Standard Industrial Classification (SIC) Code 2841, Soap and Other Detergents, except Specialty Cleaners.

During the phone conversation, Ms. Holland asked Mr. Bryant if the facility had found its permit or if it had requested information regarding industrial user permit coverage from the City. Mr. Bryant stated that (after the site inspection) he spoke with the City representatives who stated that the facility is not subject to industrial user permit coverage because they do not meet the threshold for permit coverage by the City based on volume of discharge. Mr. Bryant was unsure how the City defines “threshold.”

Ms. Holland also asked for additional information regarding the low pH discharge from the facility to the City POTW. Mr. Bryant stated that the incident occurred approximately five years prior to the inspection (i.e., in 2011), before the facility conducted batch wastewater pretreatment and discharge. Mr. Bryant explained that prior to the current pretreatment system the facility had an automatic chemical injection system for wastewater pretreatment. Specifically, a pH probe measured the pH of the wastewater, and the system added caustic or acid to adjust the pH of the wastewater. Mr. Bryant explained that the pH probe failed, causing a low pH discharge from the pretreatment system to the POTW.

Mr. Bryant stated that the facility experienced a series of issues with the probes of the automatic chemical injection system and, as a result, had to regularly replaced the pH probes. As a result of the incident, the issues with pH probes, and at the request of the City, the facility installed the two wastewater holding tanks for batch wastewater pretreatment. Mr. Bryant stated that the facility has not experienced issues with low pH discharges since the installation of the two wastewater holding tanks with manual pH testing.

Mr. Bryant stated that the pretreatment operators collect samples for pH analysis from the top of the batch treatment tanks and transport the sample to the onsite laboratory for analysis. Chemicals are added to the wastewater for pH adjustment as needed. The pretreatment operators then mix the wastewater in the batch treatment tanks for homogenization. Mr. Bryant stated the target pH of the wastewater generated at the facility is between 6 and 9 s.u. Mr. Bryant stated that the pH meter in the lab is calibrated on a daily basis and that the facility maintains a records of said calibration activities.

VI. Records Review

Ms. Holland requested and reviewed the facility’s wastewater discharge log as a component of the inspection. Refer to Photograph 16 for a view of the information recorded in the facility’s wastewater discharge log.

VII. Closing Conference

After the inspection of the process and pretreatment areas, the group returned to the office where the opening conference had occurred. Ms. Holland explained that more study might be required to ascertain if the facility was subject to the federal categorical pretreatment standards at the time of the inspection. Ms. Holland also mentioned that there were many chemicals stored at the facility without secondary containment or overhead coverage. Mr. Bryant stated that the chemicals would be stored inside the

facility's new warehouse after its construction during the summer of 2016. Ms. Holland and Ms. Wix exited the facility at 3:15 P.M.

VIII. Findings

- A. The facility manufactures liquid detergents, retailed principally textile and carpet industries. Federal regulations at 40 C.F.R. Part 417, Subpart P (Manufacture of Liquid Detergents Subcategory), apply to process discharges resulting from "all operations associated with the manufacture of liquid detergents, commencing with the blending of ingredients to, and including, bottling or packaging finished products."

The facility discharges process wastewater generated from its reactor washing and tote washing processes to a POTW. This discharge is regulated by categorical pretreatment standards for new sources at 40 C.F.R. § 417.166, which prohibits process wastewater discharges to a POTW if the process wastewater exceeds a COD/BOD-7 ratio of 10.0 and the COD exceeds 1.10 kilograms (kg) per 1000 kg of anhydrous product.

The facility has not been performing analyses and reporting to the Control Authority in accordance with the requirements of 40 C.F.R. § 403.12 for categorical industrial users, so compliance of the (undiluted, per 40 C.F.R. § 403.6(d)) process wastewater with this pretreatment standard can be routinely ascertained. The surfactants produced at the facility can present operational issues and potential pass through if discharged to the POTW.

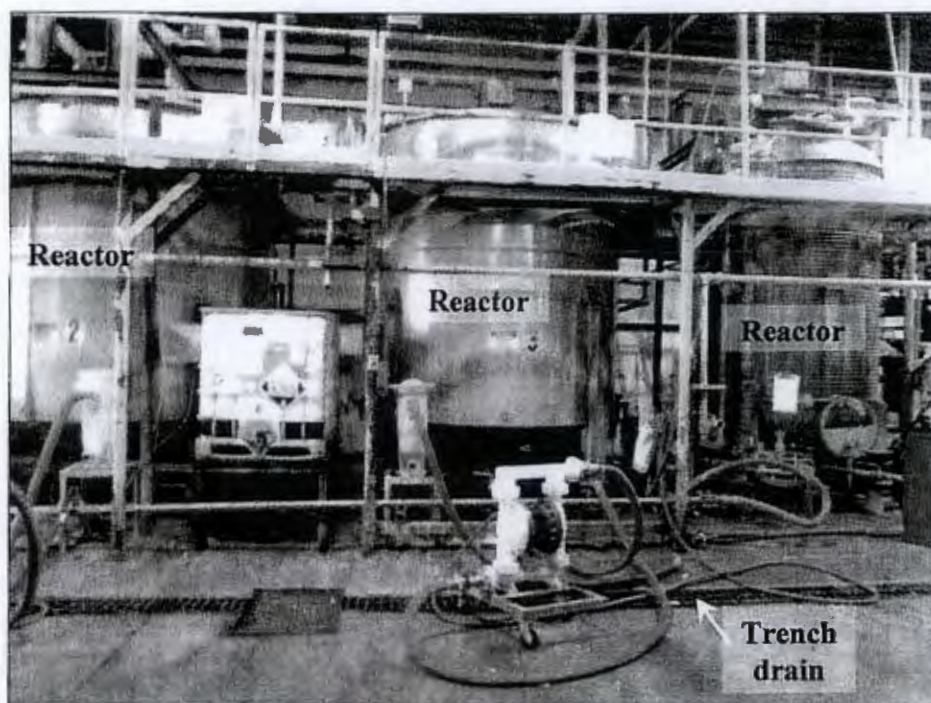
- B. The pretreatment standards and requirements identified in 40 C.F.R. Part 403 apply to all non-domestic discharges to the public sewer. At the time of the inspection, the facility was generating and discharging non-domestic wastewater to the City's POTW for approximately three years. As an industrial user subject to categorical pretreatment standards, the facility is considered by Part 403 to be a Significant Industrial User requiring an individual permit. The facility has not applied for, or been issued, a Significant Industrial User permit by the City of Calhoun, which is the pretreatment Control Authority.
- C. The facility's regulated process wastewater is diluted with indeterminate amounts of stormwater prior to pretreatment, which is not in accordance with 40 C.F.R. § 403.6(d).
- D. The facility was storing a large volume of chemicals at the facility without secondary containment and overhead protection from the elements. The facility was discharging an unknown substance from an unlabeled tote to a drain, which, according to the facility, led to the pretreatment system. There was evidence of chemical etching of the outdoor impervious surface between the administrative building and the storage warehouse, which the facility identified as spilled acid. There is likelihood that the spilled acid had collected within the facility's oil and water separator conveying wastewater to the City's POTW.
- E. Leaks or spills from the totes of chemicals at the facility have the potential to drain and comeingle with stormwater. The contamination would either be discharged offsite, or passed through the pretreatment system and discharged to the City's POTW.

F. The facility did not appear to know the exact amount of flow being discharged to the POTW.

IX. Recommendations

- A. Due to the activities that are subject to regulation, it is strongly recommended that the facility take the appropriate steps to ensure that it has received an industrial user permit before continuing to discharge its wastewater to the City's POTW. The facility should work closely with the City to ensure its discharge permit contains all of the standards and requirements appropriate for the facility's operations, and that the process discharge being measured is not diluted by stormwater.
- B. The City may require further engineering of the facility's pretreatment system to segregate the collection of regulated process and industrial stormwater waste streams, so compliance samples of process wastewater can be routinely obtained without the influence of stormwater dilution.
- C. The facility should obtain and install a calibrated flow measurement device to identify the volume of wastewater generated and discharged from its wastewater operations prior to the introduction of any diluting streams.
- D. The facility should take appropriate measures to ensure that chemicals are properly stored and handled at the facility to minimize the potential for problem discharges to the City's POTW or offsite from the facility.
- E. Given the demonstrated risk of spills, the City should consider requiring the facility to submit and employ a Slug Discharge Control Plan as part of its permit, and the State of Georgia should consider requiring the facility employ a Stormwater Pollution Prevention Plan to address these concerns.
- F. The facility should include additional details on its batch discharge sheet (Photograph 16). Recording the time and duration of the discharge, any treatment needed prior to discharge, and the characteristics of the wastewater (e.g., color, odor, solids content, etc.) is advised. The facility should also maintain records related to its calibration and collection of pH measurements (e.g., the time between sample collection and pH measurement, and the pH calibration standards tested prior to measurement).
- G. To ensure consistency and to account for any changes in staffing, the facility may need to establish a written protocol and training for operating and maintaining the pretreatment system. For chemical neutralization to be complete, it is important that neutralization systems provide sufficient residence time, and that full mixing is achieved before the final pH is monitored.

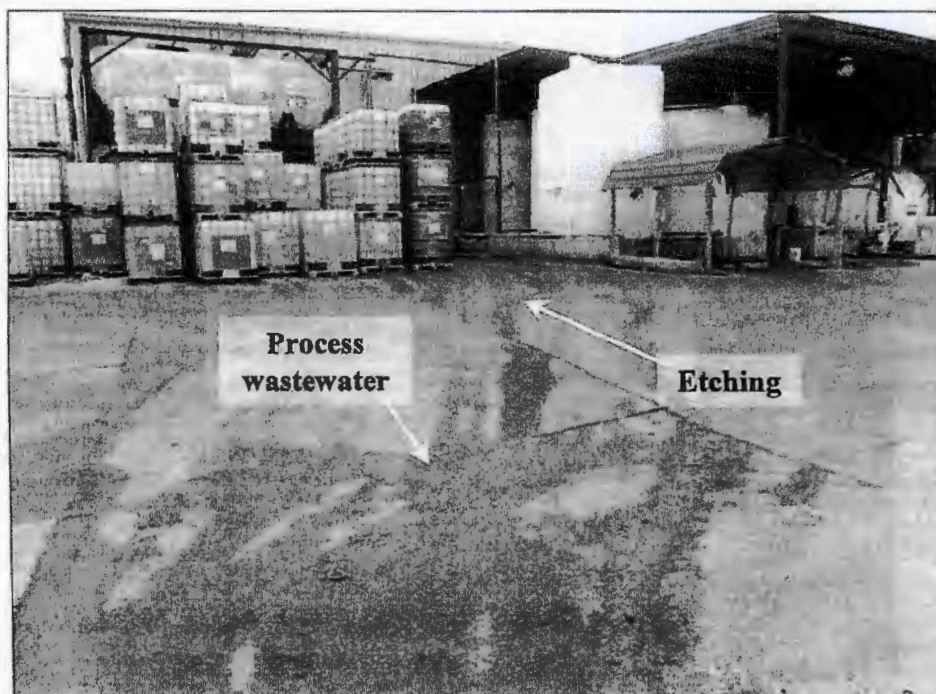
IX. Photograph Log



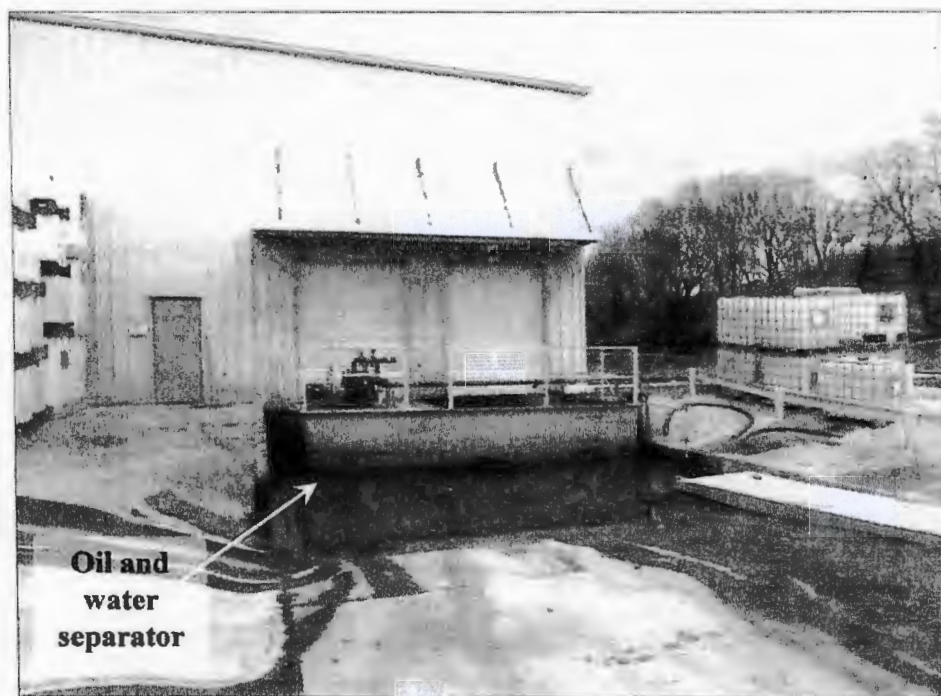
Photograph 1. View of three of the chemical reactors in the process area behind the administrative area of the facility. Note the trench drain in front of the reactors.



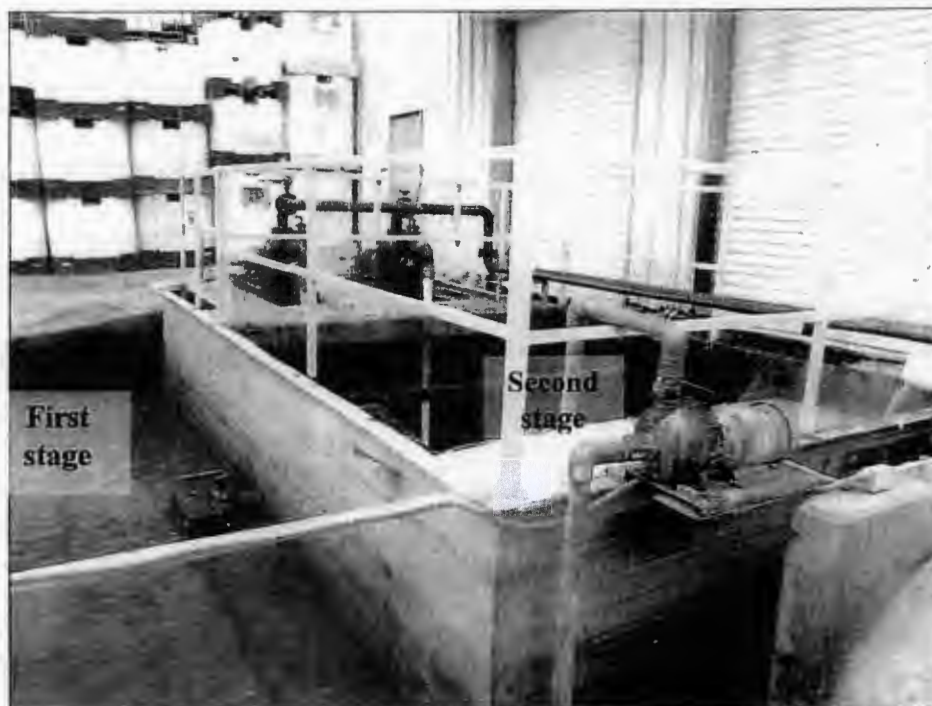
Photograph 2. View of the concrete at the southcentral area of the facility, between the administrative building and storage warehouse. Note the etching of the impervious surface.



Photograph 3. View, facing south from the south-central area of the facility, of the uncontained chemicals stored at the facility. The liquid on the impervious surface appeared to be wastewater flowing from the indoor area of the facility to the oil and water separator. Note the etching.



Photograph 4. View of the oil and water separator at the loading dock of the storage warehouse, used for initial wastewater collection and settling.



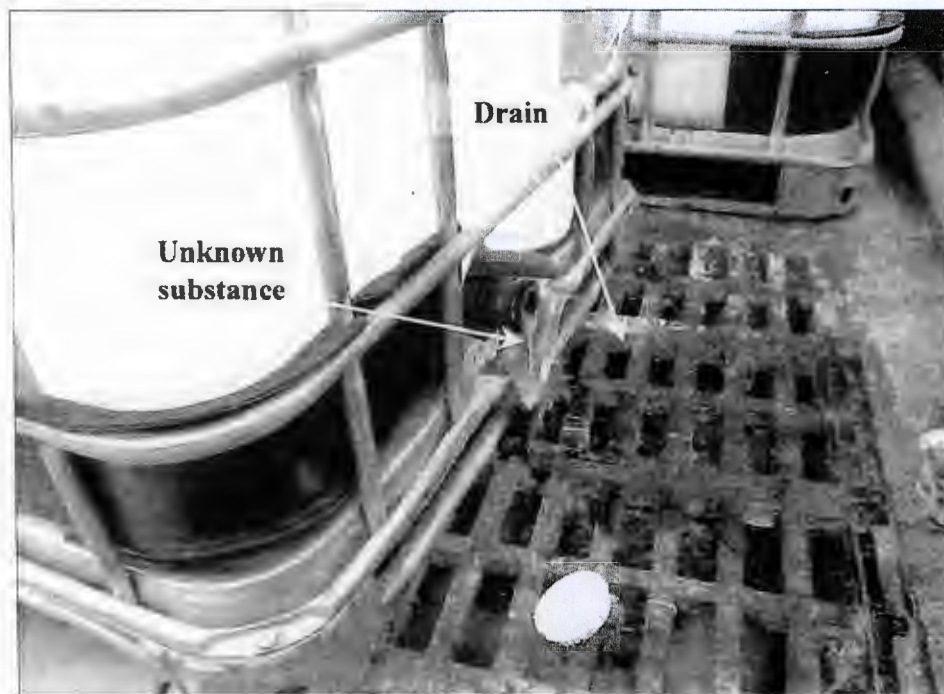
Photograph 5. Up-close view of the facility's oil and water separator depicted in Photograph 4.



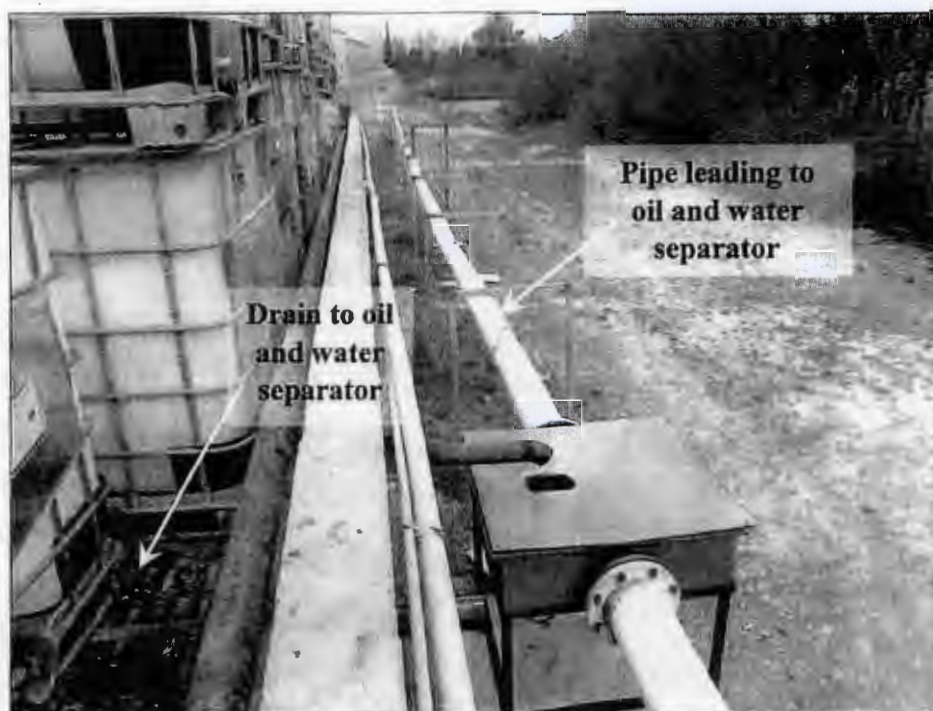
Photograph 6. View of the chemical totes stored in the direct vicinity of the facility's oil and water separator.



Photograph 7. View of the open valve of the unlabeled tote, with an unknown substance leaking into a drain that leads to the oil and water separator.



Photograph 8. Up-close view of the unknown substance leaking from the open valve of the tote into the drain, as depicted in Photograph 7.



Photograph 9. View of the piping showing the drain to the oil and water separator depicted in Photograph 8.



Photograph 10. View of the two wastewater holding tanks stored at the southeastern area of the facility.



Photograph 11. View of the blending operation in the warehouse. Note the wastewater on the impervious surface generated from the process.



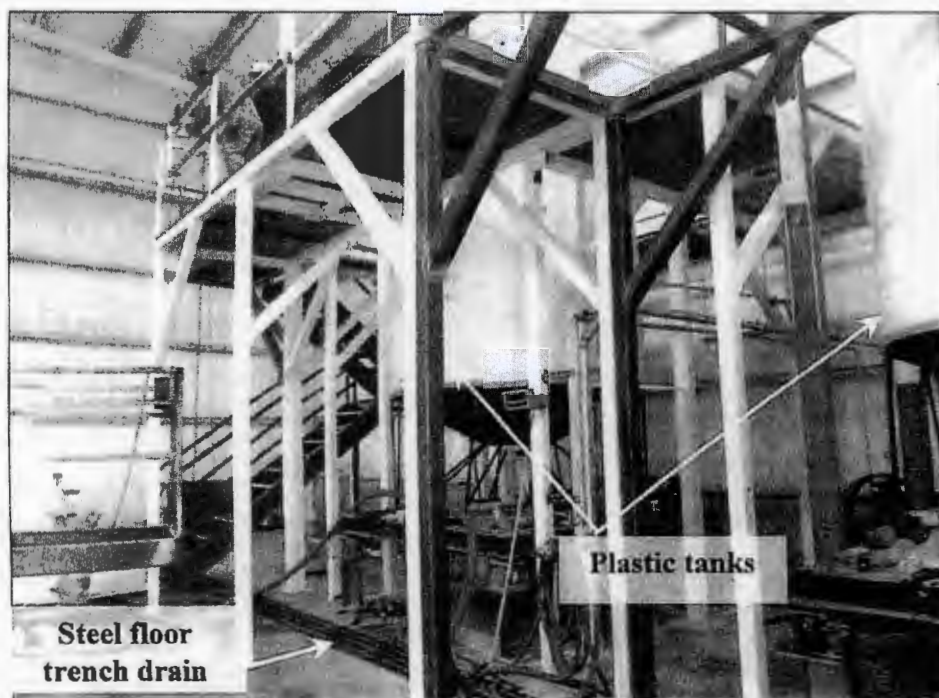
Photograph 12. View of the wastewater generated from the blending operation. The wastewater collected within the trench drains, which had been sealed.



Photograph 13. Up-close view of the wastewater from the blending process, depicted in Photographs 11 and 12, collected in the trench drain.



Photograph 14. View of the new reactors being installed at the facility.



Photograph 15. View of the newly installed steel floor trench drains and plastic tanks for storing sulfuric acid.

[illegible]

END OF REPORT

ENCLOSURE B

INFORMATION REQUEST PURSUANT TO SECTION 308 OF THE CLEAN WATER ACT

Instructions

1. Identify the person(s) responding to this Information Request.
2. Please provide a separate narrative response to each and every Question and subpart of a Question set forth in this Information Request.
3. Precede each answer with the text and the number of the Question and its subpart to which the answer corresponds.
4. All documents submitted must contain a notation indicating the Question and subpart of the Question to which they are responsive.
5. In answering each Information Request Question and subpart thereto, identify all documents and persons consulted, examined or referred to in the preparation of each response, and provide true and accurate copies of all such documents.
6. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to the EPA. Should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify the EPA as soon as possible.
7. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Question to which it responds.
8. Where specific information has not been memorialized in a document, but is nonetheless responsive to a Question, you must respond to the Question with a written response.
9. If information responsive to this Information Request is not in your possession, custody or control, then identify the person from whom such information may be obtained.
10. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Question or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.
11. The EPA requests that all documents provided in an electronic format be compatible with pdf.
12. The EPA requests that all spreadsheet information be in an electronic format and compatible with MS Excel.
13. If any Question relates to activities undertaken by entities other than the recipient of this Information Request, and to the extent that you have information pertaining to such activities, provide such information for each entity.

Definitions

1. All terms not defined herein shall have their ordinary meanings, unless such terms are defined in the Clean Water Act or its implementing regulations, in which case the statutory or regulatory definitions shall control.
2. Words in the masculine may be construed in the feminine if appropriate, and vice versa, and words in the singular may be construed in the plural if appropriate, and vice versa, in the context of a particular question or questions.
3. The terms "And" and "Or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed outside its scope.
4. The term "Identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
5. The term "Identify" means, with respect to a document, to provide its customary business description; its date; its number, if any (invoice or purchase order number); the identity of the author, addressee and/or recipient; and substance of the subject matter.
6. The term "Identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
7. The term "Facility" means Phoenix Chemical Company Inc.'s facility located at 202 Gee Road in Calhoun, Gordon County, Georgia.
8. The term "You" and "Your" shall mean Phoenix Chemical Company, Inc.
9. The term "Permit" shall mean an industrial user permit issued to the Facility by the Control Authority or a storm water permit issued by the State of Georgia.
10. "Control Authority" shall have the meaning set forth in 40 C.F.R. § 403.3(f).

Questions

1. Identify your company by:
 - A. Legal name, including any "doing business as" name;
 - B. Date and state of incorporation, if any;
 - C. Complete mailing and physical address of the central office; and
 - D. Name and mailing address of your registered agent.
2. Identify the person(s) authorized to discuss this Facility with the EPA by:
 - A. Full name and title;
 - B. Mailing address and physical address; and
 - C. Daytime telephone number.
3. Identify any current or former parent corporations and all current and former subsidiaries of Phoenix Chemical Co., Inc.
4. Describe any current or former relationship between Phoenix Chemical Co., Inc. and Houghton International.
5. State the dates during which Phoenix Chemical Co., Inc. or John Bryant in his individual capacity owned, operated, or leased any portion of the Facility and provide copies of all documents evidencing or relating to such ownership, operation, or lease, including but not limited to purchase and sale agreements, deeds, leases, etc.
6. Provide a timeline identifying the Facility's construction and narrative describing its production assets, their purpose and acquisition dates. Include the dates when the initial construction of the Facility began and when the initial discharge of process wastewater to the public sewer began.
7. Identify all federal, state, and local authorities that regulate or have regulated Phoenix Chemical Co., Inc. and/or that interact with Phoenix Chemical Co., Inc. Your response is to address all interactions and in particular all contacts from agencies/departments that dealt with health and safety issues and environmental concerns.
8. If the Facility has applied for and/or received a Permit for process wastewater discharges, then provide a timeline of the wastewater permitting history for the Facility from the beginning of its operation to the present, including:
 - a. the date(s) that Permit applications were either requested by the Control Authority (the City of Calhoun) or submitted by the Facility;
 - b. the date(s) that draft or final Permit(s) were received by the Facility; and

c. the date(s) that comments on such draft(s) were submitted to the Control Authority.

If the Facility has never received a Permit for the discharge of process wastewaters to a publicly owned treatment works, then please explain this in the response.

9. Provide complete copies of all communication to or from the Control Authority (the City of Calhoun) from the beginning of operation of the Facility to the present which concerns the Facility's process wastewater discharge(s). This information should be organized in chronological order with a table of contents. Communication that only regards water/sewer service billing or payment can be excluded.
10. Provide current schematics of the Facility property identifying the physical boundaries, the individual operational areas, and the process wastewater sources within each production area.
11. Include a separate schematic identifying the pathway(s) of process wastewaters, the pathway(s) of non-process wastewaters, any in-line valves/storage/appurtenances, and any points of combining flows, beginning from the source(s) of the flow to the termination points at public sewers or other locations. Include a flow balance on this schematic identifying the current average daily flow rates of process wastewater and non-process wastewater during production. Identify the rate at each originating source, prior to each point of combining flows, and at each point of flow termination or storage. Identify the originating processes for the flows, the means of disposal at the termination points, the capacity and utilization of any storage, the flow rates in gallons per day, and whether each flow rate is measured or estimated.
12. Provide a detailed discussion of the Facility's products and production processes, referencing the process source schematic provided for the production areas in item #11 above. Include the raw materials used, their preparation and their combination including, but not limited to, any physical/chemical preparation of the materials used, and if that is performed on-site.
13. Provide all wastewater monitoring data collected by, or under contract to, the Facility from the beginning of its operation to the present. The EPA prefers that such data be provided as a summary in an electronic spreadsheet format compatible with MS Excel. Present the data for laboratory-tested samples separately from data for flow, pH, temperature and other field- or continuously-monitored parameters. Include the following for each data point:
 - a. Parameter monitored;
 - b. Date monitored (month/day/year);
 - c. Analytical result;
 - d. Units;
 - e. Analytical method;
 - f. Sample type (grab, time-proportional composite, or flow-proportional composite)
 - g. Flow recorded at the time of monitoring;

- h. Sampling location; and
- i. Flow monitoring location.

Analytical methods need only be provided for laboratory analyses; for flow, pH, temperature and other field- or continuously-monitored parameters, identify the testing equipment used and their calibration frequencies. For flow monitoring data, only (a), (b), (c), (d), and (i) need to be provided. Location descriptions for (h) and (i) should be identifiable on the schematics provided in item #11 above.

14. For each month from the beginning of the Facility's operation to the present, identify in a spreadsheet:
 - a. The days of production;
 - b. The monthly production (kg) of anhydrous product; and
 - c. The monthly process wastewater discharge flow to the sewer, indicating measurements and estimations.
15. Provide dated color photos of the Facility's typical production discharge to the sewer (if accessible), and of any wastewater treatment systems used prior to discharge. Identify the subject matter and location with each photo and reference the locations as they are identified on the schematics provided in item #11 above.
16. Provide a copy of any inspection reports, notices of violations, administrative orders, cease and desist orders, and any related correspondence from local, State or federal agencies related to the process wastewater discharge from the Facility from the beginning of operation of the Facility to the present.
17. Provide copies of all reporting sent in accordance with the regulations at 40 C.F.R. § 403.12 and/or under the Permit beginning at least 90 days before discharge from the Facility to the public sewer until the date of this Information Request, including, but not limited to:
 - a. Baseline report, as required by 40 C.F.R. § 403.12(b);
 - b. Report on initial compliance with categorical pretreatment standards, as required by 40 C.F.R. § 403.12(d); and
 - c. Periodic report(s) on continuing compliance with categorical pretreatment standards, as required by 40 C.F.R. § 403.12(e).
18. If the Facility has applied for and/or received a Permit for storm water discharges from the State of Georgia, then provide a copy of the storm water permit. If the Facility has never received a storm water permit for the discharge of storm water, then please explain this in the response.
19. If the Facility has a Storm Water Management Plan (SWMP) or Storm Water Pollution Prevention Plan (SWPPP), then provide a copy of the effective SWMP or SWPPP.

20. Provide all storm water monitoring data collected by, or under contract to, the Facility from the beginning of its operation to the present. The EPA prefers that such data be provided as a summary in an electronic spreadsheet format compatible with MS Excel. Present the data for laboratory-tested samples separately from data for flow, pH, temperature and other field- or continuously-monitored parameters. Include the following for each data point:

- a. Parameter monitored;
- b. Date monitored (month/day/year);
- c. Analytical result;
- d. Units;
- e. Analytical method;
- f. Sample type (grab, time-proportional composite, or flow-proportional composite)
- g. Flow recorded at the time of monitoring;
- h. Sampling location; and
- i. Flow monitoring location.

Analytical methods need only be provided for laboratory analyses; for flow, pH, temperature and other field- or continuously-monitored parameters, identify the testing equipment used and their calibration frequencies. For flow monitoring data, only (a), (b), (c), (d), and (i) need to be provided. Location descriptions for (h) and (i) should be identifiable on the schematics provided in item #11 above.

ENCLOSURE C

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that the EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, the EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, the EPA may make the information available to the public without any further notice to you.

40 C.F.R. § 2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to the EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to the EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by the EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 18 2017

CERTIFIED MAIL 7016 0600 0000 3846 7985
RETURN RECEIPT REQUESTED

City of Greensboro
Attn.: Mr. Steven Drew
Director, Water Resources Department
2602 South Elm-Eugene Street
P.O. Box 3136
Greensboro, North Carolina 27402-3136

Re: Information Request – Section 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit Nos.: NC0047384, NC0024325
Greensboro T.Z. Osborne Wastewater Treatment Plant
North Buffalo Creek Wastewater Treatment Plant

Dear Mr. Drew:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency hereby requests the City of Greensboro (the City) to provide the information set forth in Enclosure A regarding the Wastewater Treatment Facilities (WWTFs) noted above and their associated Wastewater Collection and Transmission Systems. The City is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Ms. Laurie Jones
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The EPA is issuing this information request to determine the City's progress in developing and implementing written Management, Operations, and Maintenance programs and progress towards eliminating SSOs as described in the Notice of Violation issued to the City on February 3, 2014.

The City's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

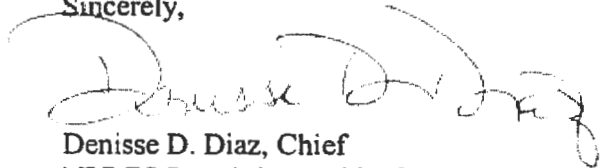
Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

The City shall preserve until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

If you have questions regarding this notice and information request, please feel free to contact Ms. Laurie Jones at (404) 562-9201.

Sincerely,

A handwritten signature in dark ink, appearing to read "Denisse D. Diaz", is written over a horizontal line.

Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures (2)

cc: Mr. Jeff Poupart
North Carolina Department of Environmental Quality

ENCLOSURE A

SSO PROGRAM City of Greensboro, North Carolina

1. Provide the following:
 - a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the City's WWTFs;
 - d. The average design flow of the City's WWTFs;
 - e. The peak design flow of the City's WWTFs;
 - f. The annual average flow of the City's WWTFs; and
 - g. The population served by the City's WWTFs and their respective SSSs.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from October 2013 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the City was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the City (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the City has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.
4. Provide a copy of any additional City procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of North Carolina.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the City's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

MAR 22 2017

CERTIFIED MAIL 7016 1970 0000 8992 7264
RETURN RECEIPT REQUESTED

Haney Enterprises, LLC
ATTN: Mr. Robert M. Haney
817 Broadway Street
Barlow, Kentucky 42024

Re: Information Request Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, for Haney Enterprises, LLC, City of Barlow, Ballard County, Kentucky

Dear Mr. Haney:

The purpose of this letter is to inform you that the U.S. Environmental Protection Agency, Region 4 is currently investigating Haney Enterprise's Hillbilly Stills facility (Facility) located at 817 Broadway Street in the City of Barlow, Ballard County, Kentucky, for compliance with the requirements of Sections 301 and 307(d) of the Clean Water Act (CWA), 33 U.S.C. §§ 1311 and 1317(d); the regulations promulgated thereunder at 40 C.F.R. Parts 403 and 433.

Therefore, pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, the EPA hereby requests that the Facility provide the information set forth in Enclosure A within 21 calendar days of your receipt of this letter.

The Facility's response should be submitted to:

U.S. Environmental Protection Agency, Region 4
Water Protection Division – NPEB
Attn: Mr. Dennis Sayre
61 Forsyth Street, S.W., Mailcode 9T25
Atlanta, Georgia 30303-8960

Failure to provide a full and complete response to this information request or to adequately justify a failure to respond within the time frame specified above may result in an EPA enforcement action pursuant to federal law, including, but not limited to Section 309 of the Clean Water Act, 33 U.S.C. § 1319, and 18 U.S.C. § 1001.

If the Facility believes that any of the requested information constitutes confidential business information, it may assert a confidentiality claim with respect to such information, except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

All information submitted in response to this information request must be accompanied by the following certification that is signed by a duly authorized official in accordance with 40 C.F.R. § 403.12(l):

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Please be aware that the EPA may use information in response to this information request in any enforcement proceeding related to this matter.

Enclosed is a document *entitled U.S. EPA Small Business Resources-Information Sheet* to assist the Facility in understanding the compliance assistance resources and tools available. Any decision to seek compliance assistance at this time, however, does not relieve the Facility of its obligation to the EPA nor does it create any new rights or defenses and will not affect the EPA's decision to pursue enforcement action.

The EPA appreciates your prompt attention to this matter. Should you have any questions regarding this letter, please contact Mr. Dennis Sayre at (404) 562-9756. Legal inquiries should be directed to Mr. William Bush, Associate Regional Counsel, at (404) 562-9538.

Sincerely,

A handwritten signature in black ink, appearing to read "Denisse D. Diaz", is written over a horizontal line.

Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures

cc: Ms. Sara Beard
Kentucky Department for Environmental Protection

ENCLOSURE A

INFORMATION REQUEST PURSUANT TO SECTION 308 OF THE CLEAN WATER ACT

Instructions

1. Identify the person(s) responding to this Information Request.
2. Please provide a separate narrative response to each and every Question and subpart of a Question set forth in this Information Request.
3. Precede each answer with the text and the number of the Question and its subpart to which the answer corresponds.
4. All documents submitted must contain a notation indicating the Question and subpart of the Question to which they are responsive.
5. In answering each Information Request Question and subpart thereto, identify all documents and persons consulted, examined or referred to in the preparation of each response, and provide true and accurate copies of all such documents.
6. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to the EPA. Should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify the EPA as soon as possible.
7. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Question to which it responds.
8. Where specific information has not been memorialized in a document, but is nonetheless responsive to a Question, you must respond to the Question with a written response.
9. If information responsive to this Information Request is not in your possession, custody or control, then identify the person from whom such information may be obtained.
10. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Question or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.
11. The EPA requests that all documents provided in an electronic format be compatible with pdf.
12. The EPA requests that all spreadsheet information be in an electronic format and compatible with MS Excel.

13. If any Question relates to activities undertaken by entities other than the recipient of this Information Request, and to the extent that you have information pertaining to such activities, provide such information for each entity.

Definitions

1. All terms not defined herein shall have their ordinary meanings, unless such terms are defined in the Clean Water Act or its implementing regulations, in which case the statutory or regulatory definitions shall control.
2. Words in the masculine may be construed in the feminine if appropriate, and vice versa, and words in the singular may be construed in the plural if appropriate, and vice versa, in the context of a particular question or questions.
3. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed outside its scope.
4. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
5. The term "identify" means, with respect to a document, to provide its customary business description; its date; its number, if any (invoice or purchase order number); the identity of the author, addressee and/or recipient; and substance of the subject matter.
6. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
7. The term "Facility" means the Hillbilly Stills facility located at 817 Broadway Street in the City of Barlow, Ballard County, Kentucky.
8. The term "you" and "your" shall mean the Facility.
9. The term "Permit" shall mean an industrial user permit issued to the Facility by the Control Authority.
10. The term "process wastewater" shall mean any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. (40 C.F.R. § 122.2)
11. "Control Authority" shall have the meaning set forth in 40 C.F.R. § 403.3(f).

Questions

1. Identify the names and addresses of the current owner(s) of the Facility property. Specify the legal name with the exact spelling of each owner. Specify the state of incorporation and principal place of business for each corporate owner. If incorporated, provide the name and mailing address of the registered agent. Additionally, provide a copy of the deed(s) of ownership of the Facility.
2. Identify the parent corporation, if any, and all subsidiaries of the Facility.
3. If the Facility has applied for and/or received a Permit for discharging process wastewater, then provide a timeline of the wastewater permitting history for the Facility beginning from the date process wastewater discharges began to the public sewer to the present, including:
 - a. the date(s) that any Permit applications were either requested by the Control Authority (the Commonwealth of Kentucky) or submitted by the Facility;
 - b. the date(s) that any draft or final Permit(s) were received by the Facility; and
 - c. the date(s) that any comments on such draft(s) were submitted to the Control Authority.

If the Facility has never received a Permit for the discharge of process wastewaters to a publicly owned treatment works, then please explain this in the response.

4. Provide complete copies of all Facility communication to or from the Control Authority, and to or from the public sewer utility, which concerns the Facility's process wastewater discharge. This information should be organized in chronological order with a table of contents. Communication that only regards water/sewer service billing or payment can be excluded.
5. Provide a timeline identifying the Facility's construction and narrative describing its production assets, their purpose and acquisition dates. Include the dates when the initial construction of the Facility began and when the initial discharge of process wastewater to the public sewer began.
6. Provide a detailed discussion of the Facility's products and production processes. Include the raw materials used, their preparation and their combination including, but not limited to:
 - a. any physical/chemical preparation of the production materials or equipment used, and whether or not it is performed on-site;
 - b. any cleaning, machining, grinding, polishing, tumbling, burnishing, impact deforming, pressure deforming, shearing, heat treating, thermal cutting, welding, brazing, soldering, flame spraying, sand blasting, sintering, laminating, hot dip coating, solvent degreasing, paint stripping, painting, electrostatic painting, electro-painting, vacuum metalizing, assembly, calibration, testing, and/or mechanical plating.
7. For each month since the discharge of process wastewater from the Facility to the public sewer began, identify (preferably in a spreadsheet):
 - a. the days of production; and

- b. the monthly process wastewater discharge flow to the sewer, indicating measurements and estimations.
- 8. Provide a description and location of the point of process wastewater discharge into the public sewer system, and a description of any wastewater pretreatment systems installed for the process wastewater prior to the discharge point. Include their dates of installation and initial dates of operation. If such systems were replaced, or intermittently operated, then also include the dates that they ceased operation.
- 9. If the Facility requested cost estimates or paid to install a pretreatment system, then provide copies of these estimates or billings including the date provided by the installer, a brief description of the pretreatment installed, and whether or not the pretreatment system was (as represented by the manufacturer) capable of meeting the applicable metal finishing pretreatment effluent limit standards outlined in 40 C.F.R. Part 433.
- 10. If process wastewaters have been combined with non-process wastewaters (e.g., non-contact cooling, non-contact condensates, sanitary) prior to their discharge to the public sewer, then provide a drawing or schematic for each relevant timeframe identifying the pathways of the process and non-process wastestreams, their points of combination, and their relation to any points of pretreatment and discharge from the Facility. Include flow values and units, indicating whether they are measured or estimated, for each contributing and combined wastewater segment on the drawing or schematic.
- 11. Provide copies of haul receipts, if any, for any process wastewaters hauled off-site for disposal since discharge of process wastewater to the public sewer began. If not indicated on the receipts, then supply a description of the wastewaters, their volumes, and the results of any analytical testing performed on the wastewaters for or by the Facility prior to disposal.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS (40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that the EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, the EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, the EPA may make the information available to the public without any further notice to you.

40 C.F.R. § 2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to the EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to the EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by the EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 30 2017

CERTIFIED MAIL 7016 0600 0000 3846 8128
RETURN RECEIPT REQUESTED

City of Jackson
c/o Mr. Jerriot Smash
Interim Director
Department of Public Works
P.O. Box 17
Jackson, Mississippi 39205-0015

Re: Information Request – Section 308 of the Clean Water Act
City of Jackson, Mississippi Consent Decree
Case No.: 3:12-cv-790 TSL-JMR

Dear Mr. Smash:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency hereby requests the City of Jackson (the City) to provide additional information regarding sanitary sewer overflows (SSOs) that the City has previously reported to the EPA in its Quarterly Reports as required by the Consent Decree. Paragraph 57.(a)(i) of the Consent Decree requires the City to indicate in the Quarterly Reports what receiving water, if any, a reported SSO reached. Upon review of the City's Quarterly Reports submitted through January 31 2016, it appears that all SSOs may have reached a receiving water. In several previous discussions with City personnel, EPA staff has informally requested the City to provide additional information clarifying this issue but a response has not been received. As a result, the EPA is requesting pursuant to CWA Section 308 that the City provide information to confirm for each SSO previously reported in a Quarterly Report whether it reached a receiving water, and if so, what was the receiving water. The City is required to respond to this information request within 30 days upon receipt of this letter. The response should be directed to:

U.S. Environmental Protection Agency, Region 4
Water Protection Division
Mr. Brad Ammons
61 Forsyth Street, S.W., 9T25
Atlanta, Georgia 30303

The City's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

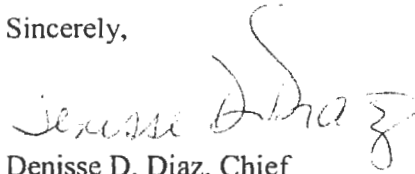
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

The City shall preserve until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you have questions regarding this notice and information request, please feel free to contact Mr. Brad Ammons at (404) 562-9769.

Sincerely,



Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

cc: Mr. Les Herrington, P.E.
Mississippi Department of Environmental Quality

Mayor Tony Yarber
City of Jackson

Mr. Terry Williamson
City of Jackson



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 18 2017

CERTIFIED MAIL 7016 0600 0000 3846 7978
RETURN RECEIPT REQUESTED

Wellington Development Company, LLC
Eastern Valley, LLC
Attn: Charles G. Kessler, Jr.
3505 Bent River Road
Birmingham, AL 35216

Wellington Development, Inc.
Attn: Charles Kessler, III
3505 Bent River Road
Birmingham, Alabama 35216

Re: Information Request – Section 308 of the Clean Water Act
Wellington Development Company, LLC

Dear Mr. Charles G. Kessler, Jr. and Mr. Charles Kessler, III:

Section 402 of the Clean Water Act (CWA) specifies that a National Pollutant Discharge Elimination System (NPDES) permit is required for any stormwater discharge associated with construction activity. The Environmental Protection Agency's stormwater regulations, set forth at 40 Code of Federal Regulations (C.F.R) § 122.26 considers construction activity, including the clearing, grading, and excavation of land resulting in the disturbance of one acre or more of total land area, to be a construction activity requiring coverage under an NPDES stormwater permit. In addition, stormwater permit coverage is required where construction activity resulted in the disturbance of one acre or more of total land area but was part of a larger common plan of development or sale.

The EPA is investigating the nature and extent of stormwater discharge practices at properties owned or operated by Wellington Development, Inc., Wellington Development Company, LLC, and Eastern Valley, LLC (hereinafter, collectively referred to as "Wellington"). The EPA hereby requests that you provide the information set forth in Enclosure A within fifteen (15) days of your receipt of this letter. Answer each question as clearly and completely as possible. The response should be directed to:

LCDR Tara L. Houda
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Responses to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible company official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

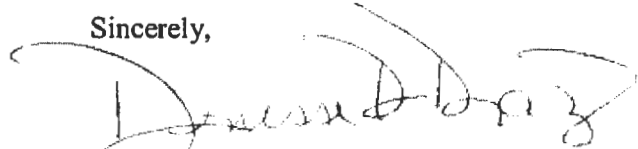
Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

Preserve, until further notice, all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

If you have questions regarding this notice and information request, please feel free to contact Ms. Houda at (404) 562-9762 or via email at houda.tara@epa.gov. Legal inquiries should be directed to Ms. Kavita K. Nagrani, Associate Regional Counsel, at (404) 562-9697.

Sincerely,



Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures (A, B)

cc: Mr. Derick Houston
Facility Unit, ADEM Birmingham Branch

Mr. Brad Watson
Inspection Superintendent, City of Leeds

ENCLOSURE A
REQUEST FOR INFORMATION PURSUANT TO SECTION 308

Instructions

1. Identify the person(s) responding to this Information Request.
2. Please provide a separate narrative response to each and every Question and subpart of a Question set forth in this Information Request.
3. Precede each answer with the text and the number of the question and its subpart to which the answer corresponds.
4. All documents submitted must contain a notation indicating the question and subpart of the question to which they are responsive.
5. In answering each Information Request, identify all documents and persons consulted, examined, or referred to in the preparation of each response and provide true and accurate copies of all such documents.
6. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find at any time after the submission of its response that any portion of the submitted information is false or misrepresents the truth, you must notify EPA thereof as soon as possible.
7. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Request to which it responds.
8. Where specific information has not been memorialized in a document, but is nonetheless responsive to a Request, you must respond to the Request with a written response.
9. If information responsive to this Information Request is not in your possession, custody or control, then identify the person from whom such information may be obtained.
10. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.
11. All documents provided in an electronic format should be compatible with .pdf.
12. All spreadsheet information should be in electronic format and compatible with MS Excel.
13. Information shall be provided for all companies, all subsidiaries, resources groups, or other corporate entities. Thus, the response to each question concerning the company's activities should reflect information regarding each and every entity.
14. All terms not defined herein shall have their ordinary meanings, unless such terms are defined in

the Clean Water Act or its implementing regulations, in which case the statutory or regulatory definitions shall control.

15. Words in the masculine may be construed in the feminine if appropriate, and vice versa, and words in the singular may be construed in the plural if appropriate, and vice versa, in the context of a particular question or questions.
16. The terms "And" and "Or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed outside its scope.
17. The term "Identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
18. The term "Identify" means, with respect to a document, to provide its customary business description; its date; its number, if any (invoice or purchase order number); the identity of the author, addressee and/or recipient; and substance of the subject matter.
19. The term "Identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
20. The term "Facility" means any company, entity, or corporation with an NPDES point source (including land or appurtenance thereto) that is subject to regulation under the NPDES program.
21. The term "You" and "Your" shall mean Wellington Development Company, LLC and/or any company, entity, or corporation that has directed work at the Site.
22. The term "NPDES" or "NPDES Permit" shall mean National Pollutant Discharge Elimination System permit or any state permit (i.e., ADEM), issued pursuant to the Clean Water Act.
23. The term "Discharge" shall mean the addition of any pollutant to navigable waters; i.e., surface water sources ditches, or streams.
24. The term "Wetlands" shall mean those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.
25. The term "Stormwater" means any runoff generated when precipitation from rain or snowmelt events flows over land or impervious surfaces and does not percolate into the ground.

Questions

1. Identify: (1) all active construction sites that are owned and/or operated by Charles Kessler, Jr. and Charles Kessler, III, as well as (2) all companies currently involved in construction (either in the capacity of an owner, operator, developer, lessor, lessee, general contractor, or subcontractor) in which Charles Kessler, Jr. and/or Charles Kessler, III have an interest (either as an officer, director, member, manager, or other corporate official). Provide a list, specifically describing each of those properties where construction has begun and/or construction is planned. The list should include those sites that resulted or will result in the disturbance of one acre of land or greater; or where the construction activities resulted in the disturbance of less than one acre of total land area, but which are/were part of a larger plan of development or sale. This list should include, but not be limited to:
 - a. Southern Trace 9, ALR10A916
 - b. Lennox Townhomes, ALR10B902
 - c. Rosemont Subdivision, ALR10AL55
 - d. Devonshire Estates Subdivision, ALR10AL78
 - e. Barclay Subdivision, ALR10AL71
 - f. Deerfoot Crossing Phase II, ALR10AJ13
 - g. Pumphouse Village, ALR10A672
 - h. Calton Hill, ALR10AI36
2. Provide the following information regarding each construction site listed in response to question one (1) above:
 - a. Identify the construction site specifying the address, GPS coordinates, and the name given to the project.
 - b. Provide the permit status (permitted, pending, notice of termination or unpermitted).
 - c. Provide a signed and dated copy of the Notice of Intent(s) (NOI) submitted to obtain authorization under a current NPDES general permit, pursuant to Section 402 of the CWA for stormwater discharges from construction activities or a copy of an individual NPDES permit for the construction site. Also, provide a copy of the NPDES coverage notice. If no permit was obtained, provide a detailed explanation of your reason(s) for not obtaining authorization under an NPDES permit.
 - d. Specify who owns/owned the construction site during all times that construction activities, as stated in 40 C.F.R. § 122.26(b)(14)(x), are/were occurring. If any transfer of ownership occurred after the start of the construction planning process, specify the owner(s) prior to and following the transfer, and the date of transfer. Provide the name and address of each owner specified.
 - e. Specify the operators and general contractors of the construction site during all times that construction activities are/were occurring. Provide the name and address of each operator and general contractor specified.
 - f. Specify the developers of the construction site during all times that construction activities are/were occurring. Provide the name and address of each developer specified.
 - g. Provide the following information regarding the timetable of construction activities:
 - i. Provide specific date(s) for the commencement of construction at the site.
 - ii. Describe the condition of the surface of the property (e.g., natural soil, forested, stripped, paved, etc.) before commencement of construction activities.
 - iii. Provide the current stage of the construction activity at the construction site (e.g., clearing/grubbing, grading, infrastructure, building construction, final stabilization).

- iv. Provide when final stabilization was achieved (e.g., all areas disturbed at the construction site are either paved or have achieved 70% or more perennial vegetative cover) at the construction site. Please provide specific date(s).
 - v. Provide specific date(s) for when the construction activities were completed at the construction site.
 - vi. Specify the number of acres of total land area disturbed by the construction activities at each site and the acres of total land area. If the construction site is/was part of a larger common plan of development or sale, such as a phased project, common marketing plan, common developer, or single plat, specify the number of acres of the larger common plan of development or sale.
3. For those construction sites where ADEM denied permit coverage in November or December of 2016, please state whether any land disturbing activities have continued subsequent to ADEM's denial. If activities have ceased at any of those sites, provide the last date that land disturbing or construction activities took place.
4. Are Charles Kessler, Jr. or Charles Kessler, III actively involved in construction or land disturbing activities at any entities not listed below in question 5. If so, please describe the construction or land disturbing activity, including the name, location, size, and permit status of the activity, and state the role of Charles Kessler, Jr. and Charles Kessler, III at these construction or land disturbing activities.
5. Do you or Wellington Development Company, LLC have any officers, directors, members, managers, or other corporate officials that also are involved in any of the below entities, and if so, please state whether any of those companies are actively involved in construction and/or land disturbing activities.
- a. Wellington Development Company, LLC
 - b. Wellington Development Corporation
 - c. Wellington Development, Inc.
 - d. Eastern Valley, LLC
 - e. Eastern Valley Design, LLC
 - f. KADCO Homes
 - g. KADCO, Inc.
 - h. Kadco, LLC
 - i. CRE Reality/Cahaba Real Estate, d.b.a. CRE Residential
 - j. Cahaba R.E., Inc.
 - k. Kessler Enterprises, LP
 - l. Kessler & Kessler, LLC
 - m. Berkley Corporation
 - n. George Investments, LLC
 - o. Southland, LLC
 - p. B & K Properties, L.L.C.
 - q. S & K Investments, L.L.C.
 - r. G & C Investments LLC
 - s. C C Construction LLC
 - t. ML Lots, LLC
 - u. Kessteam, LLC
 - v. Pumphouse, LLC
 - w. Multi-Vest, LLC

- x. Community Environmental Systems, Inc.
- y. Crossbridge Homeowners Association, Inc.
- z. Heritage Parc Homeowners' Association, Inc.
- aa. Bent River Estates Homeowners Association, Inc.
- bb. Pumphouse Village Homeowners Association, Inc.
- cc. St. Margarets Homeowners Association, Inc.
- dd. Hurricane Creek Homeowners Association, Inc.
- ee. The Cove at Overton Homeowners' Association, Inc.
- ff. Saddlecreek Estates Homeowners Association, Inc.
- gg. Cambridge Homeowners Association, Inc.
- hh. Kensington Homeowners Association, Inc.
- ii. Windsor Park Homeowners Association, Inc.
- jj. Southern Trace Homeowners' Association, Inc.
- kk. Calton Hill Association, Inc.
- ll. NJK, LLC

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS (40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 20 2017

CERTIFIED MAIL 7016 0600 0000 3846 8029
RETURN RECEIPT REQUESTED

Phoenix Chemical Company, Inc.
ATTN: Mr. John E. Bryant
Chief Executive Officer
202 Gee Road
Calhoun, Georgia 30701

Re: Information Request Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, for Phoenix Chemical Company, Inc., Calhoun, Gordon County, Georgia

Dear Mr. Bryant:

On March 1, 2016, a contractor for the U.S. Environmental Protection Agency Region 4 performed an Industrial User Inspection of Phoenix Chemical Company, Inc.'s facility (Facility) located at 202 Gee Road in Calhoun, Gordon County, Georgia. The purpose of the inspection was to evaluate Phoenix Chemical Company Inc.'s compliance with the requirements of Sections 301 and 307(d) of the Clean Water Act (CWA), 33 U.S.C. §§ 1311 and 1317(d); and the regulations promulgated thereunder at 40 C.F.R. Parts 403 and 417. A copy of the industrial user inspection report is enclosed as Enclosure A.

The EPA is continuing to investigate the Phoenix Chemical Company, Inc.'s compliance with the CWA. Therefore, pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, the EPA hereby requests that the Phoenix Chemical Company, Inc. provide the information set forth in Enclosure B within twenty-one (21) calendar days of your receipt of this letter.

The Phoenix Chemical Company, Inc.'s response should be submitted to:

Mr. Brad Ammons
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
Atlanta Federal Center (MC 9T25)
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Failure to provide a full and complete response to this information request or to adequately justify a failure to respond within the time frame specified above may result in an EPA enforcement action pursuant to federal law, including, but not limited to Section 309 of the Clean Water Act, 33 U.S.C. § 1319, and 18 U.S.C. § 1001.

If Phoenix Chemical Company, Inc. believes that any of the requested information constitutes confidential business information, it may assert a confidentiality claim with respect to such information,

except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure C.

All information submitted in response to this information request must be accompanied by the following certification that is signed by a duly authorized official in accordance with 40 C.F.R. § 403.12(I):

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

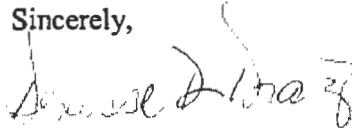
Please be aware that the EPA may use information provided in response to this information request in any enforcement proceeding related to this matter.

Enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* to assist Phoenix Chemical Company Inc. in understanding the compliance assistance resources and tools available to it. Any decision to seek compliance assistance at this time, however, does not relieve Phoenix Chemical Company Inc. of its obligation to the EPA nor does it create any new rights or defenses and will not affect the EPA's decision to pursue enforcement action.

In addition, the Securities and Exchange Commission (Commission) requires its registrants to periodically disclose environmental legal proceedings in statements filed with the Commission. To assist Phoenix Chemical Company, Inc., the EPA has also enclosed a document entitled *Notice of Securities and Exchange Commission Registrants' Duty to Disclose Environmental Legal Proceedings*.

Please contact Mr. Brad Ammons at (404) 562-9769 if you have any questions or concerns. Legal inquiries should be directed to Ms. Suzanne Armor, Associate Regional Counsel, at (404) 562-9701.

Sincerely,



Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures

cc: Mr. Bert Langley
Georgia Environmental Protection Division

Mr. Jerry Crawford
City of Calhoun Wastewater Department

Final Report
Phoenix Chemical Company, Inc.
Industrial User Pretreatment Reconnaissance Inspection
March 1, 2016

Prepared for:
EPA Region 4
61 Forsyth Street, S.W.
Atlanta, GA 30303-8960

Prepared by:
PG Environmental, LLC
607 10th Street; Suite 307
Golden, CO 80401-5817

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I. Introduction

On March 1, 2016, Kettie Holland of PG Environmental, LLC, conducted a pretreatment reconnaissance inspection of the Phoenix Chemical Company, Inc. (Phoenix Chemical or facility) on behalf of the U.S. Environmental Protection Agency (EPA) Region 4. The facility address and mailing address are the same: 202 Gee Road, Calhoun, GA 30701. The Georgia Department of Natural Resources' Environmental Protection Division (State of Georgia) or the City of Calhoun (City) have not issued a permit to the facility. EPA notified the State of Georgia in advance of the pretreatment reconnaissance inspection activity pursuant to its Memorandum of Agreement. Ms. Stacey Wix of the State of Georgia accompanied Ms. Holland during the inspection.

The facility is located in an industrial area northeast of Interstate 75. The facility consists of a process area and an administrative office within a warehouse (Administrative Building), a second warehouse used for storage, and a wastewater treatment area outside on an uncovered concrete pad. The facility's latitude and longitude coordinates are 34.555004 and -84.928468, respectively.

II. Entry

Ms. Wix and Ms. Holland arrived at the facility at 2:00 P.M. and spoke with an administrative assistant at the entrance of the facility. Ms. Holland informed the administrative assistant of the reason for the visit. Ms. Holland asked whom the appropriate person would be to meet with to discuss facility operations and potential wastewater generating operations. Ms. Wix and Ms. Holland signed in at the front of the facility and then met with Mr. John Bryant, the Owner of the Facility. The group exchanged introductions, and Ms. Holland provided a preliminary explanation of the purpose of the inspection.

III. Opening Conference

The group proceeded to Mr. Bryant's office, and Ms. Holland presented credentials and provided a full explanation of the purpose and intent of the pretreatment reconnaissance inspection. Ms. Holland requested that Mr. Bryant provide a description of the facility's onsite operations and wastewater generating processes.

Mr. Bryant stated that Phoenix Chemical moved into the facility approximately three years ago, and that they mix batches of chemicals used in water treatment processes, in textile industries, and in carpet industries. Mr. Bryant stated that the facility generates wastewater from its chemical tote and reactor washing process: the wastewater generated from the process is collected, the solids are allowed to settle, and the decant is pumped into two wastewater holding tanks. The pretreatment operators collect a sample of the wastewater and analyze the pH of the wastewater at the facility's onsite laboratory. Depending upon the result of the analysis, the pretreatment operators adjust the pH of the wastewater, if needed, and then discharge to the City's publicly owned treatment works (POTW).

Mr. Bryant stated that representatives from the City are at the facility regularly, at least on a monthly basis. He stated that the City required the facility to install a batch wastewater treatment system for pretreating the wastewater prior to discharging to the POTW. Mr. Bryant stated that the facility previously had a pH discharge of 1.78 standard units (s.u.) and the City issued a notice of violation (NOV) letter to the facility in response to the low pH discharge. Mr. Bryant stated that the facility is operational 24 hours per day, Monday through Friday, and occasionally on Sundays.

He stated that the wastewater treatment operators leave the facility around 2:00 P.M., thus a wastewater treatment operator was not at the facility during the inspection. The facility does not discharge wastewater to the POTW while the pretreatment operators are not at the facility.

The facility was in the process of expanding its operation at the time of the inspection. Mr. Bryant explained that as a component of the expansion, the facility planned to expand its mixing operation, install additional reactors, and add tanks for raw material storage.

IV. Tour of Operations

The group exited Mr. Bryant's office and proceeded to the process area in the rear of the Administrative Building. The facility has six reactors for mixing chemicals: two have a capacity of 2,500 gallons, two have a capacity of 3,500 gallons, one has a capacity of 4,000 gallons, and one has a capacity of 6,000 gallons. Mr. Bryant explained that facility employees rinse the vessels with water and steam, and that the reactor rinsing process does not use other soaps or chemicals. Trench drains collect this process wastewater and convey it to the pretreatment system (Photograph 1).

The group exited the indoor process area and proceeded to the wastewater pretreatment system located outdoors. As the group proceeded, Ms. Holland observed etching on the outdoor concrete surface. Mr. Bryant explained that this was the result of an acid spill (Photographs 2 and 3).

Mr. Bryant explained that the process wastewater generated at the facility, in addition to stormwater, collects in the loading dock bay in front of the storage warehouse (Photograph 4). Specifically, trench drains convey process wastewater generated from the reactor and tote washing processes to the loading dock area, collecting in the outdoor loading dock bay. Mr. Bryant referred to the loading dock bay as the "oil and water separator." He explained that wastewater from the trench drains, in addition to wastewater that may flow through the process area and collect in the dock bay, is pumped from the first chamber (i.e., the sloped dock bay) to the second chamber (i.e., concrete box at the base of the dock bay). Wastewater from the second chamber of the oil and water separator is pumped into one of two wastewater holding tanks, each with an approximate capacity of 9,000 gallons (Photographs 5 and 6).

Ms. Holland observed that the wastewater within the oil and water separator chambers was dark in color. Mr. Bryant stated that solids collected within the oil and water separator are pumped out and hauled offsite by a contractor one to two times per year.

The group then proceeded to inspect the two wastewater holding tanks, located at the southeastern corner of the outdoor concrete pad. After the pH of the wastewater within the tanks has been measured and adjusted as needed, the pretreatment operators discharge the contents of the tanks to the City's POTW. Mr. Bryant stated that the facility discharges wastewater to the same sewer line as the soap company, Chemtex, located to the west of the facility.

Ms. Holland observed that both the wastewater holding tanks were empty at the time of the inspection. Mr. Bryant explained that the pretreatment operators had discharged the wastewater generated at the facility for the day to the City's POTW prior to the inspection. Ms. Holland asked if the facility kept a record of discharges. Mr. Bryant provided a log of discharge events (refer to Section VI, Records Review). Ms. Holland asked how the facility would handle the wastewater if the pH was out of range and could not be properly adjusted. Mr. Bryant stated that the facility would hold the wastewater in the holding tanks and have it hauled offsite for disposal.

After observing the wastewater holding tanks, Ms. Holland observed that a valve at the bottom of a chemical tote was open, and the content of the tote was discharging into a trench drain. Mr. Bryant stated that he was unsure what the tote contained, and that the content of the tote would be collected in the oil and water separator and would be treated (i.e., receive pH adjustment) prior to discharge to the City's POTW (Photographs 7 through 9).

The group then proceeded to inspect the warehouse where raw and finished products were stored. At the time of the inspection Ms. Holland observed a trench drain that ran through the warehouse and had collected solids. Mr. Bryant explained that the facility removes the solids from the trench on an annual basis. Mr. Bryant stated that the trench drains within this area of the facility had been sealed and do not flow to the pretreatment system.

Ms. Holland observed a chemical blending operation within the warehouse. Mr. Bryant explained that employees wash totes that contain finished product prior to the blending operation. Ms. Holland observed that wastewater generated from the tote washing process collects in the floor trench drains and is allowed to evaporate (Photographs 10 through 12).

Mr. Bryant explained that the facility plans to construct a 60,000 square-foot warehouse during the summer of 2016. He also stated that the facility was in the process of installing additional reactors for a blending operation (Photograph 13). Ms. Holland observed the installation and assembly of the additional tank reactors at the time of the inspection. The installation occurred in a process area separate than the area housing the active reactors. At the time of the inspection, the facility had installed a stainless steel trench drain for wastewater collection from the new reactors, in addition to plastic bulk tanks for storing sulfuric acid.

Mr. Bryant expected that the blending operation would be complete and operational during the third quarter of 2016. Mr. Bryant stated that the wastewater treatment system has excess capacity to accommodate the facility's expansion. Mr. Bryant stated that the facility notified the City of the planned expansion and that the facility has been working closely with the City during this process.

Ms. Holland asked how the facility handled off-specification product and samples for quality assurance purposes. Mr. Bryant stated that in the event that an off-specification product arises, the facility blends the off-specification product into a similar product. Mr. Bryant also stated that the facility reintroduces the quality assurance/quality control and off-specification products into similar final products.

V. Follow-Up Interview

After the site inspection, on June 28, 2016, Ms. Holland had a follow-up phone conversation with Mr. Bryant. Ms. Holland asked a series of questions in order to clarify the facility's operations and wastewater generating practices.

Ms. Holland asked Mr. Bryant about the specific classes of chemicals manufactured at the facility. Mr. Bryant stated that the facility provides approximately 80% of the chemicals it manufactures to the carpet and textile industry. These products include textile auxiliary chemicals such as wetting agents, defoamers, and froth acids. Mr. Bryant stated that the main ingredients for the wetting agents include alcohol ethoxylate, and an oleyl amine and ethylene oxide mixture. He also stated that the frothing acids include ammonium lauryl sulfate and sodium lauryl sulfate. The facility also uses various types of acids and caustics. The facility blends water with the main ingredients to manufacture final products for sale.

Mr. Bryant also stated that the facility submitted a notice of intent (NOI) to the State of Georgia and filed under Standard Industrial Classification (SIC) Code 2841, Soap and Other Detergents, except Specialty Cleaners.

During the phone conversation, Ms. Holland asked Mr. Bryant if the facility had found its permit or if it had requested information regarding industrial user permit coverage from the City. Mr. Bryant stated that (after the site inspection) he spoke with the City representatives who stated that the facility is not subject to industrial user permit coverage because they do not meet the threshold for permit coverage by the City based on volume of discharge. Mr. Bryant was unsure how the City defines "threshold."

Ms. Holland also asked for additional information regarding the low pH discharge from the facility to the City POTW. Mr. Bryant stated that the incident occurred approximately five years prior to the inspection (i.e., in 2011), before the facility conducted batch wastewater pretreatment and discharge. Mr. Bryant explained that prior to the current pretreatment system the facility had an automatic chemical injection system for wastewater pretreatment. Specifically, a pH probe measured the pH of the wastewater, and the system added caustic or acid to adjust the pH of the wastewater. Mr. Bryant explained that the pH probe failed, causing a low pH discharge from the pretreatment system to the POTW.

Mr. Bryant stated that the facility experienced a series of issues with the probes of the automatic chemical injection system and, as a result, had to regularly replaced the pH probes. As a result of the incident, the issues with pH probes, and at the request of the City, the facility installed the two wastewater holding tanks for batch wastewater pretreatment. Mr. Bryant stated that the facility has not experienced issues with low pH discharges since the installation of the two wastewater holding tanks with manual pH testing.

Mr. Bryant stated that the pretreatment operators collect samples for pH analysis from the top of the batch treatment tanks and transport the sample to the onsite laboratory for analysis. Chemicals are added to the wastewater for pH adjustment as needed. The pretreatment operators then mix the wastewater in the batch treatment tanks for homogenization. Mr. Bryant stated the target pH of the wastewater generated at the facility is between 6 and 9 s.u. Mr. Bryant stated that the pH meter in the lab is calibrated on a daily basis and that the facility maintains a records of said calibration activities.

VI. Records Review

Ms. Holland requested and reviewed the facility's wastewater discharge log as a component of the inspection. Refer to Photograph 16 for a view of the information recorded in the facility's wastewater discharge log.

VII. Closing Conference

After the inspection of the process and pretreatment areas, the group returned to the office where the opening conference had occurred. Ms. Holland explained that more study might be required to ascertain if the facility was subject to the federal categorical pretreatment standards at the time of the inspection. Ms. Holland also mentioned that there were many chemicals stored at the facility without secondary containment or overhead coverage. Mr. Bryant stated that the chemicals would be stored inside the

facility's new warehouse after its construction during the summer of 2016. Ms. Holland and Ms. Wix exited the facility at 3:15 P.M.

VIII. Findings

- A. The facility manufactures liquid detergents, retailed principally textile and carpet industries. Federal regulations at 40 C.F.R. Part 417, Subpart P (Manufacture of Liquid Detergents Subcategory), apply to process discharges resulting from "all operations associated with the manufacture of liquid detergents, commencing with the blending of ingredients to, and including, bottling or packaging finished products."

The facility discharges process wastewater generated from its reactor washing and tote washing processes to a POTW. This discharge is regulated by categorical pretreatment standards for new sources at 40 C.F.R. § 417.166, which prohibits process wastewater discharges to a POTW if the process wastewater exceeds a COD/BOD-7 ratio of 10.0 and the COD exceeds 1.10 kilograms (kg) per 1000 kg of anhydrous product.

The facility has not been performing analyses and reporting to the Control Authority in accordance with the requirements of 40 C.F.R. § 403.12 for categorical industrial users, so compliance of the (undiluted, per 40 C.F.R. § 403.6(d)) process wastewater with this pretreatment standard can be routinely ascertained. The surfactants produced at the facility can present operational issues and potential pass through if discharged to the POTW.

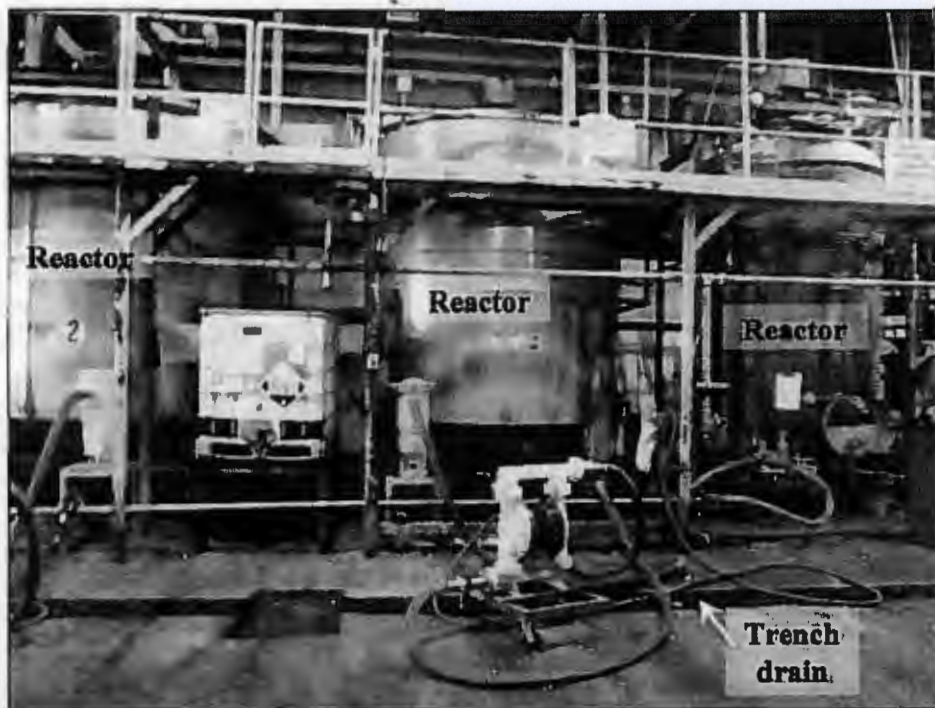
- B. The pretreatment standards and requirements identified in 40 C.F.R. Part 403 apply to all non-domestic discharges to the public sewer. At the time of the inspection, the facility was generating and discharging non-domestic wastewater to the City's POTW for approximately three years. As an industrial user subject to categorical pretreatment standards, the facility is considered by Part 403 to be a Significant Industrial User requiring an individual permit. The facility has not applied for, or been issued, a Significant Industrial User permit by the City of Calhoun, which is the pretreatment Control Authority.
- C. The facility's regulated process wastewater is diluted with indeterminate amounts of stormwater prior to pretreatment, which is not in accordance with 40 C.F.R. § 403.6(d).
- D. The facility was storing a large volume of chemicals at the facility without secondary containment and overhead protection from the elements. The facility was discharging an unknown substance from an unlabeled tote to a drain, which, according to the facility, led to the pretreatment system. There was evidence of chemical etching of the outdoor impervious surface between the administrative building and the storage warehouse, which the facility identified as spilled acid. There is likelihood that the spilled acid had collected within the facility's oil and water separator conveying wastewater to the City's POTW.
- E. Leaks or spills from the totes of chemicals at the facility have the potential to drain and comeingle with stormwater. The contamination would either be discharged offsite, or passed through the pretreatment system and discharged to the City's POTW.

- F. The facility did not appear to know the exact amount of flow being discharged to the POTW.

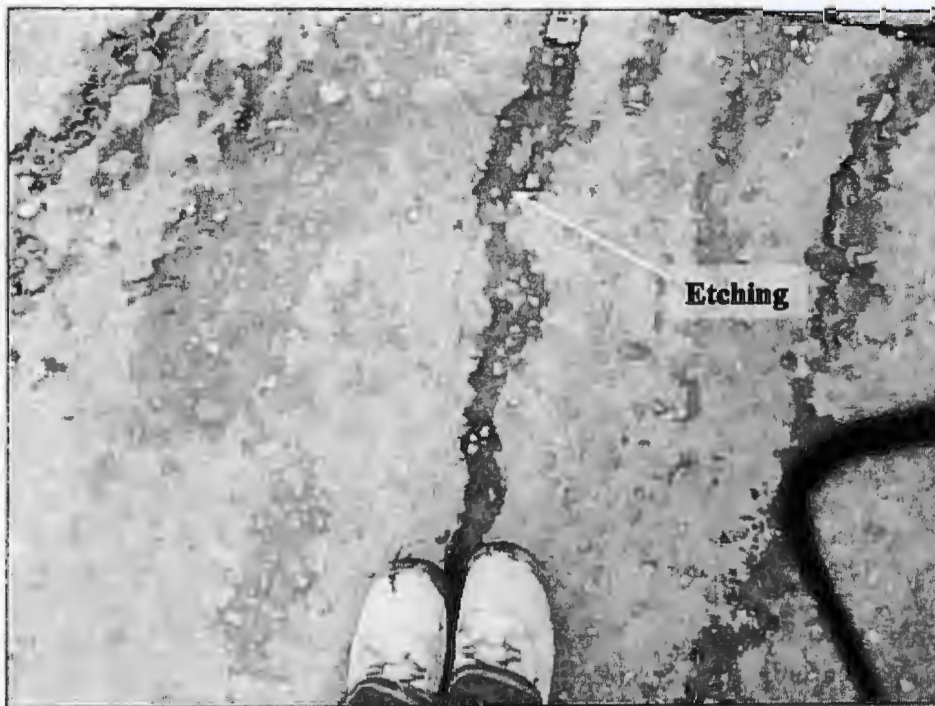
IX. Recommendations

- A. Due to the activities that are subject to regulation, it is strongly recommended that the facility take the appropriate steps to ensure that it has received an industrial user permit before continuing to discharge its wastewater to the City's POTW. The facility should work closely with the City to ensure its discharge permit contains all of the standards and requirements appropriate for the facility's operations, and that the process discharge being measured is not diluted by stormwater.
- B. The City may require further engineering of the facility's pretreatment system to segregate the collection of regulated process and industrial stormwater waste streams, so compliance samples of process wastewater can be routinely obtained without the influence of stormwater dilution.
- C. The facility should obtain and install a calibrated flow measurement device to identify the volume of wastewater generated and discharged from its wastewater operations prior to the introduction of any diluting streams.
- D. The facility should take appropriate measures to ensure that chemicals are properly stored and handled at the facility to minimize the potential for problem discharges to the City's POTW or offsite from the facility.
- E. Given the demonstrated risk of spills, the City should consider requiring the facility to submit and employ a Slug Discharge Control Plan as part of its permit, and the State of Georgia should consider requiring the facility employ a Stormwater Pollution Prevention Plan to address these concerns.
- F. The facility should include additional details on its batch discharge sheet (Photograph 16). Recording the time and duration of the discharge, any treatment needed prior to discharge, and the characteristics of the wastewater (e.g., color, odor, solids content, etc.) is advised. The facility should also maintain records related to its calibration and collection of pH measurements (e.g., the time between sample collection and pH measurement, and the pH calibration standards tested prior to measurement).
- G. To ensure consistency and to account for any changes in staffing, the facility may need to establish a written protocol and training for operating and maintaining the pretreatment system. For chemical neutralization to be complete, it is important that neutralization systems provide sufficient residence time, and that full mixing is achieved before the final pH is monitored.

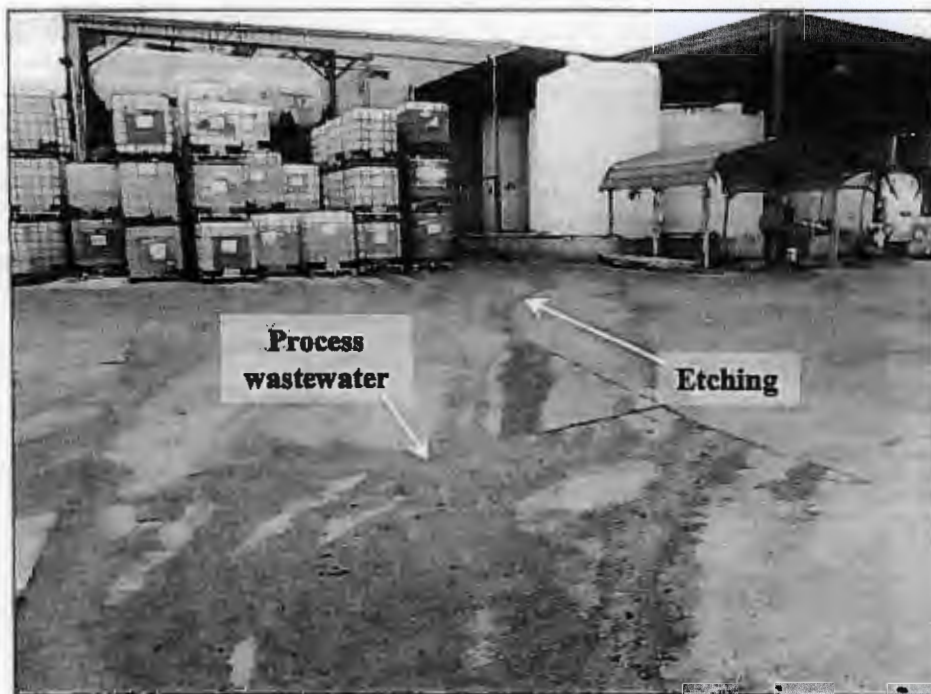
IX. Photograph Log



Photograph 1. View of three of the chemical reactors in the process area behind the administrative area of the facility. Note the trench drain in front of the reactors.



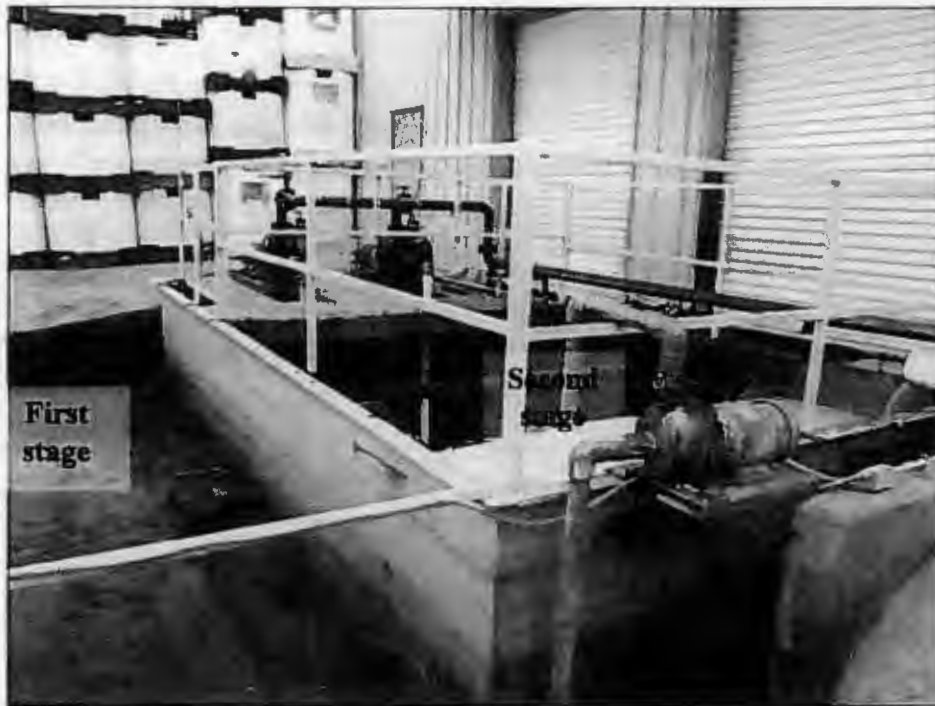
Photograph 2. View of the concrete at the southcentral area of the facility, between the administrative building and storage warehouse. Note the etching of the impervious surface.



Photograph 3. View, facing south from the south-central area of the facility, of the uncontained chemicals stored at the facility. The liquid on the impervious surface appeared to be wastewater flowing from the indoor area of the facility to the oil and water separator. Note the etching.



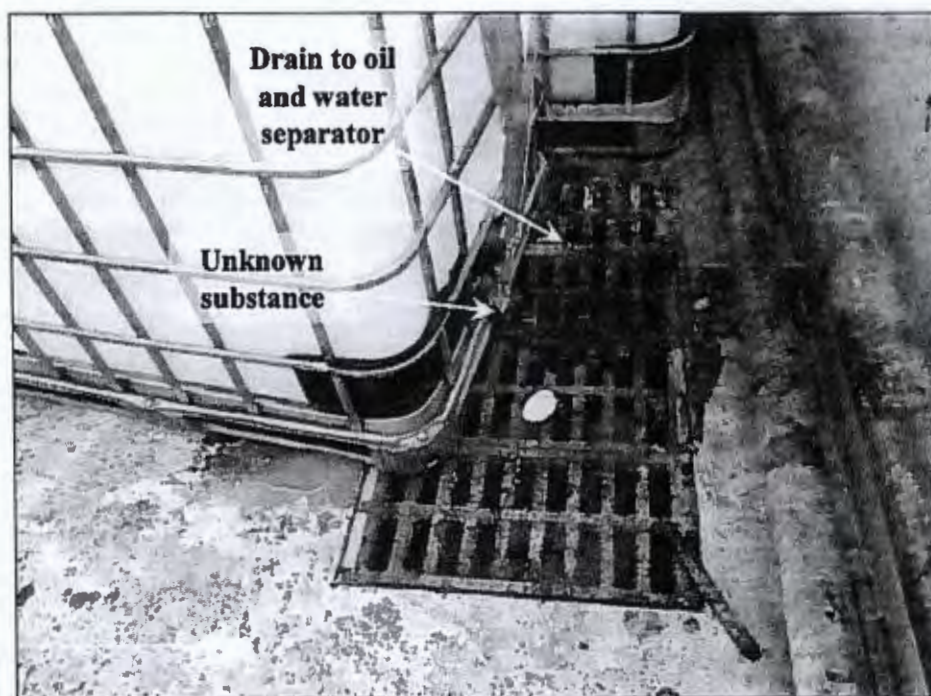
Photograph 4. View of the oil and water separator at the loading dock of the storage warehouse, used for initial wastewater collection and settling.



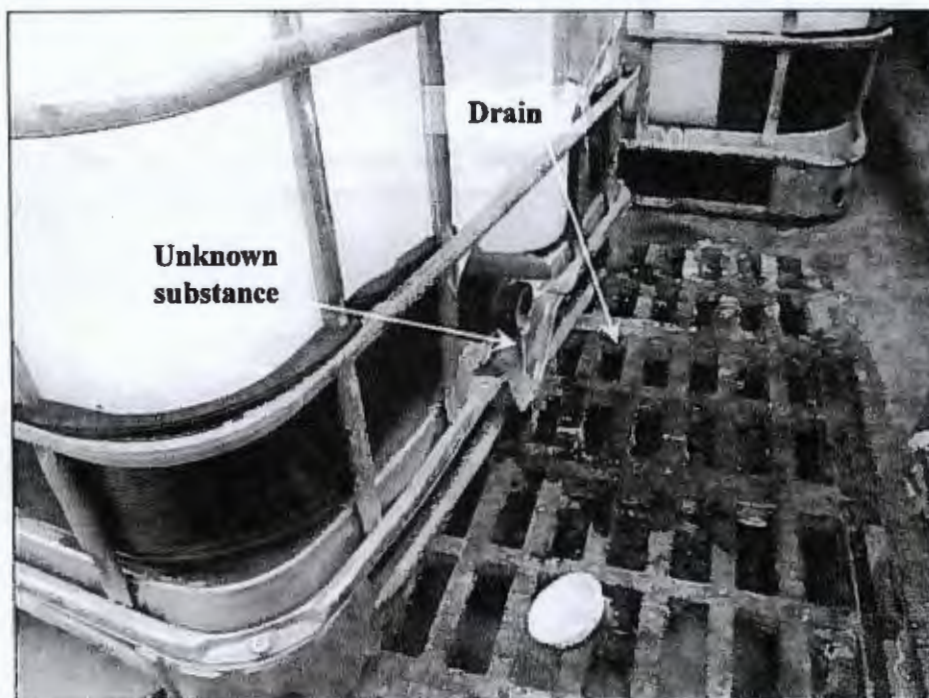
Photograph 5. Up-close view of the facility's oil and water separator depicted in Photograph 4.



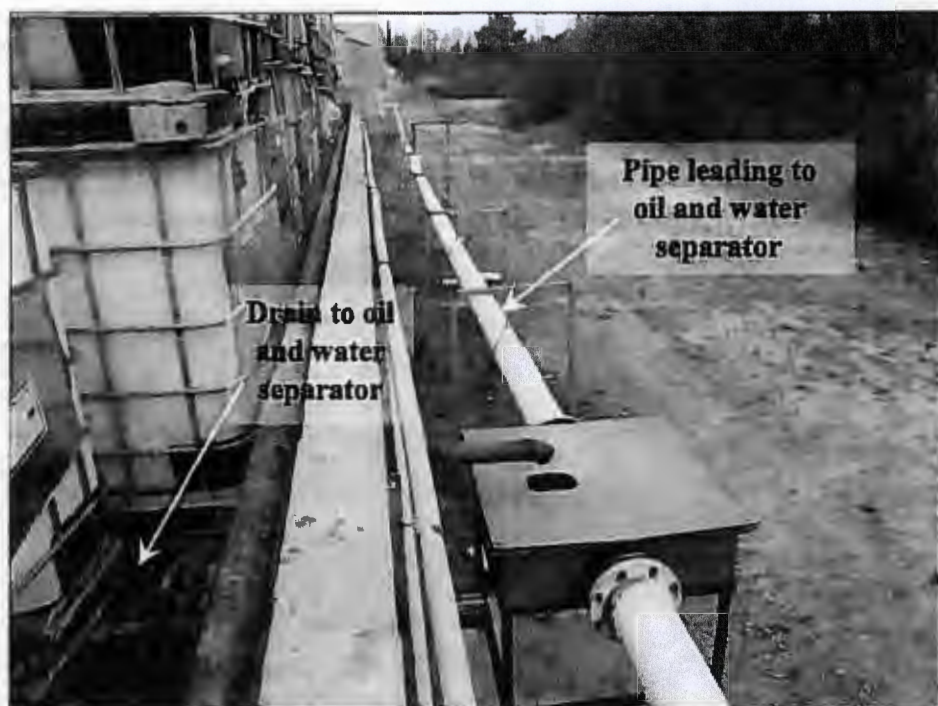
Photograph 6. View of the chemical totes stored in the direct vicinity of the facility's oil and water separator.



Photograph 7. View of the open valve of the unlabeled tote, with an unknown substance leaking into a drain that leads to the oil and water separator.



Photograph 8. Up-close view of the unknown substance leaking from the open valve of the tote into the drain, as depicted in Photograph 7.



Photograph 9. View of the piping showing the drain to the oil and water separator depicted in Photograph 8.



Photograph 10. View of the two wastewater holding tanks stored at the southeastern area of the facility.



Photograph 11. View of the blending operation in the warehouse. Note the wastewater on the impervious surface generated from the process.



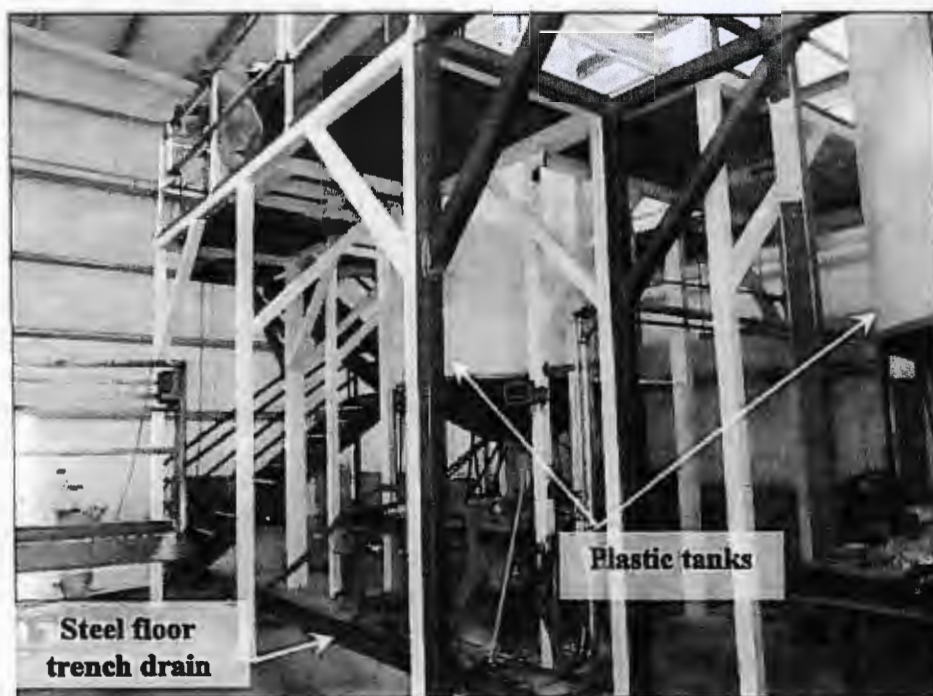
Photograph 12. View of the wastewater generated from the blending operation. The wastewater collected within the trench drains, which had been sealed.



Photograph 13. Up-close view of the wastewater from the blending process, depicted in Photographs 11 and 12, collected in the trench drain.



Photograph 14. View of the new reactors being installed at the facility.



Photograph 15. View of the newly installed steel floor trench drains and plastic tanks for storing sulfuric acid.

		GALLONS	pH ADJUST	pH	ADDED
2-21-16	Raul	8000	6		
2-24-16	Raul	8000	6		
2-24-16	Raul	8000	6		
2-24-16	Raul	8000	6		
2-24-16	Raul	8000	6		
2-25-16	Terry	8000	6		
2-25-16	Terry	8000	7		
2-25-16	Terry	7000	7		
2-25-16	Terry	7000	7		
2-25-16	Raul	8000	6		
2-25-16	Raul	8000	6		
2-25-16	Terry	8000	7		
2-26-16	Terry	8000	7		
2-26-16	Terry	7000	6		
2-26-16	Terry	7000	6		
2-26-16	Terry	7000	6		
2-26-16	Michael	8000	6		
2-26-16	Michael	8000	6		
2-26-16	Michael	8000	7		
2-26-16	Terry	8000	7		
2-29-16	Terry	8000	6		
2-29-16	Raul	8000	6		
2-29-16	Raul	8000	6		
2-29-16	Raul	8000	6		
3-1-16	Terry	8000	6		
3-1-16	Terry	8000	6		
3-1-16	Terry	8000	6		

Photograph 16. Close-up view of the facility's batch discharge sheet, used for recording information regarding batch discharges from the facility to the City's POTW. The sheet includes information regarding date of discharge, employee name, volume discharged (gallons), and pH reading after adjustment.

END OF REPORT

ENCLOSURE B

INFORMATION REQUEST PURSUANT TO SECTION 308 OF THE CLEAN WATER ACT

Instructions

1. Identify the person(s) responding to this Information Request.
2. Please provide a separate narrative response to each and every Question and subpart of a Question set forth in this Information Request.
3. Precede each answer with the text and the number of the Question and its subpart to which the answer corresponds.
4. All documents submitted must contain a notation indicating the Question and subpart of the Question to which they are responsive.
5. In answering each Information Request Question and subpart thereto, identify all documents and persons consulted, examined or referred to in the preparation of each response, and provide true and accurate copies of all such documents.
6. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to the EPA. Should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify the EPA as soon as possible.
7. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Question to which it responds.
8. Where specific information has not been memorialized in a document, but is nonetheless responsive to a Question, you must respond to the Question with a written response.
9. If information responsive to this Information Request is not in your possession, custody or control, then identify the person from whom such information may be obtained.
10. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Question or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.
11. The EPA requests that all documents provided in an electronic format be compatible with pdf.
12. The EPA requests that all spreadsheet information be in an electronic format and compatible with MS Excel.
13. If any Question relates to activities undertaken by entities other than the recipient of this Information Request, and to the extent that you have information pertaining to such activities, provide such information for each entity.

Definitions

1. All terms not defined herein shall have their ordinary meanings, unless such terms are defined in the Clean Water Act or its implementing regulations, in which case the statutory or regulatory definitions shall control.
2. Words in the masculine may be construed in the feminine if appropriate, and vice versa, and words in the singular may be construed in the plural if appropriate, and vice versa, in the context of a particular question or questions.
3. The terms "And" and "Or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed outside its scope.
4. The term "Identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
5. The term "Identify" means, with respect to a document, to provide its customary business description; its date; its number, if any (invoice or purchase order number); the identity of the author, addressee and/or recipient; and substance of the subject matter.
6. The term "Identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
7. The term "Facility" means Phoenix Chemical Company Inc.'s facility located at 202 Gee Road in Calhoun, Gordon County, Georgia.
8. The term "You" and "Your" shall mean Phoenix Chemical Company, Inc.
9. The term "Permit" shall mean an industrial user permit issued to the Facility by the Control Authority or a storm water permit issued by the State of Georgia.
10. "Control Authority" shall have the meaning set forth in 40 C.F.R. § 403.3(f).

Questions

1. Identify your company by:
 - A. Legal name, including any “doing business as” name;
 - B. Date and state of incorporation, if any;
 - C. Complete mailing and physical address of the central office; and
 - D. Name and mailing address of your registered agent.
2. Identify the person(s) authorized to discuss this Facility with the EPA by:
 - A. Full name and title;
 - B. Mailing address and physical address; and
 - C. Daytime telephone number.
3. Identify any current or former parent corporations and all current and former subsidiaries of Phoenix Chemical Co., Inc.
4. Describe any current or former relationship between Phoenix Chemical Co., Inc. and Houghton International.
5. State the dates during which Phoenix Chemical Co., Inc. or John Bryant in his individual capacity owned, operated, or leased any portion of the Facility and provide copies of all documents evidencing or relating to such ownership, operation, or lease, including but not limited to purchase and sale agreements, deeds, leases, etc.
6. Provide a timeline identifying the Facility’s construction and narrative describing its production assets, their purpose and acquisition dates. Include the dates when the initial construction of the Facility began and when the initial discharge of process wastewater to the public sewer began.
7. Identify all federal, state, and local authorities that regulate or have regulated Phoenix Chemical Co., Inc. and/or that interact with Phoenix Chemical Co., Inc. Your response is to address all interactions and in particular all contacts from agencies/departments that dealt with health and safety issues and environmental concerns.
8. If the Facility has applied for and/or received a Permit for process wastewater discharges, then provide a timeline of the wastewater permitting history for the Facility from the beginning of its operation to the present, including:
 - a. the date(s) that Permit applications were either requested by the Control Authority (the City of Calhoun) or submitted by the Facility;
 - b. the date(s) that draft or final Permit(s) were received by the Facility; and

c. the date(s) that comments on such draft(s) were submitted to the Control Authority.

If the Facility has never received a Permit for the discharge of process wastewaters to a publicly owned treatment works, then please explain this in the response.

9. Provide complete copies of all communication to or from the Control Authority (the City of Calhoun) from the beginning of operation of the Facility to the present which concerns the Facility's process wastewater discharge(s). This information should be organized in chronological order with a table of contents. Communication that only regards water/sewer service billing or payment can be excluded.
10. Provide current schematics of the Facility property identifying the physical boundaries, the individual operational areas, and the process wastewater sources within each production area.
11. Include a separate schematic identifying the pathway(s) of process wastewaters, the pathway(s) of non-process wastewaters, any in-line valves/storage/appurtenances, and any points of combining flows, beginning from the source(s) of the flow to the termination points at public sewers or other locations. Include a flow balance on this schematic identifying the current average daily flow rates of process wastewater and non-process wastewater during production. Identify the rate at each originating source, prior to each point of combining flows, and at each point of flow termination or storage. Identify the originating processes for the flows, the means of disposal at the termination points, the capacity and utilization of any storage, the flow rates in gallons per day, and whether each flow rate is measured or estimated.
12. Provide a detailed discussion of the Facility's products and production processes, referencing the process source schematic provided for the production areas in item #11 above. Include the raw materials used, their preparation and their combination including, but not limited to, any physical/chemical preparation of the materials used, and if that is performed on-site.
13. Provide all wastewater monitoring data collected by, or under contract to, the Facility from the beginning of its operation to the present. The EPA prefers that such data be provided as a summary in an electronic spreadsheet format compatible with MS Excel. Present the data for laboratory-tested samples separately from data for flow, pH, temperature and other field- or continuously-monitored parameters. Include the following for each data point:
 - a. Parameter monitored;
 - b. Date monitored (month/day/year);
 - c. Analytical result;
 - d. Units;
 - e. Analytical method;
 - f. Sample type (grab, time-proportional composite, or flow-proportional composite)
 - g. Flow recorded at the time of monitoring;

- h. Sampling location; and
- i. Flow monitoring location.

Analytical methods need only be provided for laboratory analyses; for flow, pH, temperature and other field- or continuously-monitored parameters, identify the testing equipment used and their calibration frequencies. For flow monitoring data, only (a), (b), (c), (d), and (i) need to be provided. Location descriptions for (h) and (i) should be identifiable on the schematics provided in item #11 above.

14. For each month from the beginning of the Facility's operation to the present, identify in a spreadsheet:
 - a. The days of production;
 - b. The monthly production (kg) of anhydrous product; and
 - c. The monthly process wastewater discharge flow to the sewer, indicating measurements and estimations.
15. Provide dated color photos of the Facility's typical production discharge to the sewer (if accessible), and of any wastewater treatment systems used prior to discharge. Identify the subject matter and location with each photo and reference the locations as they are identified on the schematics provided in item #11 above.
16. Provide a copy of any inspection reports, notices of violations, administrative orders, cease and desist orders, and any related correspondence from local, State or federal agencies related to the process wastewater discharge from the Facility from the beginning of operation of the Facility to the present.
17. Provide copies of all reporting sent in accordance with the regulations at 40 C.F.R. § 403.12 and/or under the Permit beginning at least 90 days before discharge from the Facility to the public sewer until the date of this Information Request, including, but not limited to:
 - a. Baseline report, as required by 40 C.F.R. § 403.12(b);
 - b. Report on initial compliance with categorical pretreatment standards, as required by 40 C.F.R. § 403.12(d); and
 - c. Periodic report(s) on continuing compliance with categorical pretreatment standards, as required by 40 C.F.R. § 403.12(e).
18. If the Facility has applied for and/or received a Permit for storm water discharges from the State of Georgia, then provide a copy of the storm water permit. If the Facility has never received a storm water permit for the discharge of storm water, then please explain this in the response.
19. If the Facility has a Storm Water Management Plan (SWMP) or Storm Water Pollution Prevention Plan (SWPPP), then provide a copy of the effective SWMP or SWPPP.

20. Provide all storm water monitoring data collected by, or under contract to, the Facility from the beginning of its operation to the present. The EPA prefers that such data be provided as a summary in an electronic spreadsheet format compatible with MS Excel. Present the data for laboratory-tested samples separately from data for flow, pH, temperature and other field- or continuously-monitored parameters. Include the following for each data point:
- a. Parameter monitored;
 - b. Date monitored (month/day/year);
 - c. Analytical result;
 - d. Units;
 - e. Analytical method;
 - f. Sample type (grab, time-proportional composite, or flow-proportional composite)
 - g. Flow recorded at the time of monitoring;
 - h. Sampling location; and
 - i. Flow monitoring location.

Analytical methods need only be provided for laboratory analyses; for flow, pH, temperature and other field- or continuously-monitored parameters, identify the testing equipment used and their calibration frequencies. For flow monitoring data, only (a), (b), (c), (d), and (i) need to be provided. Location descriptions for (h) and (i) should be identifiable on the schematics provided in item #11 above.

ENCLOSURE C

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that the EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, the EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, the EPA may make the information available to the public without any further notice to you.

40 C.F.R. § 2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to the EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to the EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by the EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 10 2017

CERTIFIED MAIL 7016 0600 0000 3846 7893
RETURN RECEIPT REQUESTED

City of High Point
Attn: Mr. Chris Thompson
Director, Public Services Department
211 South Hamilton Street, Suite 206
P.O. Box 230
High Point, North Carolina 27261

Re: Information Request – Section 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit No.: NC0024210
City of High Point Wastewater Treatment Plant (WWTP)

Dear Mr. Thompson:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency hereby requests that the City of High Point (the City) provide the information set forth in Enclosure A regarding the facilities noted above and their associated sanitary sewer collection systems. The City is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Mr. Richard Elliott, P.E.
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The EPA is issuing this information request to determine the City's progress in developing and implementing written Management, Operations, and Maintenance programs and rehabilitation of the Wastewater Collection and Transmission System as described in the Notice of Violation issued to the City on March 18, 2013.

The City's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that

qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.


The City shall preserve until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the City of its obligations to EPA or the State of North Carolina, does not create any new rights or defenses, and will not affect EPA's decision to pursue enforcement action.

If you have questions regarding this notice and information request, please feel free to contact Mr. Richard Elliott at (404) 562-8691.

Sincerely,



Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures (3)

cc: Mr. Jeff Poupart
North Carolina Department of Environmental Quality

ENCLOSURE A

SSO PROGRAM City of High Point, North Carolina

1. Provide the following:
 - a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the City's WWTP;
 - d. The average design flow of the City's WWTP;
 - e. The peak design flow of the City's WWTP;
 - f. The annual average flow of the City's WWTP; and
 - g. The population served by the City's WWTP and their respective SSSs.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from December 2011 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the City was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the City (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;

- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

- 3. If the City has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.
- 4. Provide a copy of any additional City procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of North Carolina.
- 5. Provide the name of the person (or position title) responsible for each of the activities identified in the City's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS **(40 C.F.R. Part 2)**

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

ATLANTA FEDERAL CENTER

61 FORSYTH STREET

ATLANTA, GEORGIA 30303-8960

JAN 12 2017

CERTIFIED MAIL 7015 1730 0002 0524 4096

RETURN RECEIPT REQUESTED

Ashland City
Attn: Billy Harris
Chief Operator, Wastewater Treatment Plant
199 Rhea Street
Ashland City, Tennessee 37015

Re: Information Request – Section 308 of the Clean Water Act
NPDES Permit No. TN0020737
Ashland City Sewage Treatment Plant (STP)

Dear Mr. Harris:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency hereby requests the Town of Ashland City (the City) to provide the information set forth in Enclosure A regarding the facility noted above and its associated sanitary sewer collection system. The City is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Ms. Sara Janovitz
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The EPA is issuing this information request to determine the City's progress in developing and implementing written Management, Operations, and Maintenance programs and eliminating sanitary sewer overflows as described in the Letter of Concern issued to the City on June 21, 2011.

The City's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the

information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

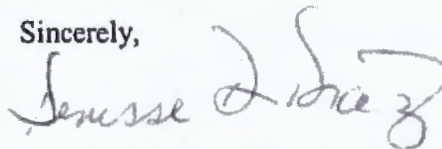
The City shall preserve until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the City of its obligations to EPA or the State of Tennessee, does not create any new rights or defenses, and will not affect EPA's decision to pursue enforcement action.

If you have questions regarding this notice and information request, please feel free to contact Ms. Sara Janovitz at (404) 562-9870.

Sincerely,

A handwritten signature in dark ink, appearing to read "Denisse D. Diaz", is written over the typed name.

Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures (3)

cc: Ms. Jessica Murphy
Tennessee Department of Environment and Conservation

ENCLOSURE A

SSO PROGRAM

Town of Ashland City, Tennessee

1. Provide the following:
 - a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the City's STP;
 - d. The average design flow of the City's STP;
 - e. The peak design flow of the City's STP;
 - f. The annual average flow of the City's STP; and
 - g. The population served by the City's STP and its respective SSS.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from December 2011 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the City was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the City (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the City has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.
4. Provide a copy of any additional City procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of Tennessee.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the City's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 10 2017

CERTIFIED MAIL 7016 0600 0000 3846 7916
RETURN RECEIPT REQUESTED

Town of Andrews
Attn: The Honorable Rodney Giles
Mayor of Andrews
905 West Pine Street
Andrews, South Carolina 29510

Re: Information Request – Section 308 of the Clean Water Act

Dear Mayor Giles:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency hereby requests that the Town of Andrews (the Town) provide the information set forth in Enclosure A regarding the Town's sanitary sewer collection system. The Town is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Mr. Richard Elliott, P.E.
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The EPA is issuing this information request to determine the Town's progress in developing and implementing written Management, Operations, and Maintenance programs and rehabilitation of the Wastewater Collection and Transmission System as described in the Notice of Violation issued to the Town on April 09, 2015.

The Town's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible Town official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate,

and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

The Town shall preserve until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term “records” shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the Town of its obligations to EPA or the State of South Carolina, does not create any new rights or defenses, and will not affect EPA’s decision to pursue enforcement action.

If you have questions regarding this notice and information request, please feel free to contact Mr. Richard Elliott at (404) 562-8691.

Sincerely,



Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures (3)

cc: Mr. Glenn Trofatter
South Carolina Department of Health and Environmental Control

ENCLOSURE A

SSO PROGRAM

Town of Andrews, South Carolina

1. Provide the following:
 - a. The size of the Town's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the Town's WWTP;
 - d. The average design flow of the Town's WWTP;
 - e. The peak design flow of the Town's WWTP;
 - f. The annual average flow of the Town's WWTP; and
 - g. The population served by the Town's WWTP and their respective SSSs.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from December 2011 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the Town was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the Town (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;

- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

- 3. If the Town has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.
- 4. Provide a copy of any additional Town procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of South Carolina.
- 5. Provide the name of the person (or position title) responsible for each of the activities identified in the Town's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

ATLANTA FEDERAL CENTER

61 FORSYTH STREET

ATLANTA, GEORGIA 30303-8960

JAN 12 2017

CERTIFIED MAIL 7015 1730 0002 0524 4102
RETURN RECEIPT REQUESTED

Mr. Steve Barksdale
Water and Sewer Superintendent
Columbus Light and Water
P.O. Box 949
Columbus, Mississippi 39703

Re: Information Request – Section 308 of the Clean Water Act
NPDES Permit No. MS0056472
Reynolds R Ridgley Wastewater Treatment Plant (WWTP)

Dear Mr. Barksdale:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency hereby requests the Columbus Light and Water (CL&W) to provide the information set forth in Enclosure A regarding the facility noted above and its associated sanitary sewer collection system. CL&W is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Ms. Sara Janovitz
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The EPA is issuing this information request to determine CL&W's progress in developing and implementing written Management, Operations, and Maintenance programs and rehabilitation of the Wastewater Collection and Transmission System as described in the Notice of Violation issued to CL&W on July 3, 2014.

CL&W's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible CL&W official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the

Internet Address (URL) • <http://www.epa.gov>

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information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.


CL&W shall preserve until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term “records” shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve CL&W of its obligations to EPA or the State of Mississippi, does not create any new rights or defenses, and will not affect EPA’s decision to pursue enforcement action.

If you have questions regarding this notice and information request, please feel free to contact Ms. Sara Janovitz at (404) 562-9870.

Sincerely,



Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures (3)

cc: Mr. Tim Aultman
Mississippi Department of Environmental Quality

ENCLOSURE A

SSO PROGRAM Columbus, Mississippi

1. Provide the following:
 - a. The size of CL&W's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the CL&W's WWTP;
 - d. The average design flow of CL&W's WWTP;
 - e. The peak design flow of CL&W's WWTP;
 - f. The annual average flow of CL&W's WWTP; and
 - g. The population served by CL&W's WWTP and its respective SSS.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from December 2011 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when CL&W was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when CL&W (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If CL&W has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan (“SORP”)), provide a copy of the plan.
4. Provide a copy of any additional CL&W procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of Mississippi.
5. Provide the name of the person (or position title) responsible for each of the activities identified in CL&W's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 12 2017

CERTIFIED MAIL 7016 0600 0000 3846 7961
RETURN RECEIPT REQUESTED

Mr. Larry Brazell
Executive Director
East Richland County Public Service District
P.O. Box 23069
Columbia, South Carolina 29224-3069

Re: Information Request – Section 308 of the Clean Water Act
NPDES Permit No. SC0038865
East Richland County PSD Gills Creek Wastewater Treatment Plant (WWTP)

Dear Mr. Brazell:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency hereby requests the East Richland County Public Service District (the District) to provide the information set forth in Enclosure A regarding the facility noted above and its associated sanitary sewer collection system. The District is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Ms. Sara Janovitz
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The EPA is issuing this information request to determine the District's progress in developing and implementing written Management, Operations, and Maintenance programs and rehabilitation of the Wastewater Collection and Transmission System as described in the Notice of Violation issued to the District on July 23, 2013.

The District's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible District official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my

inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

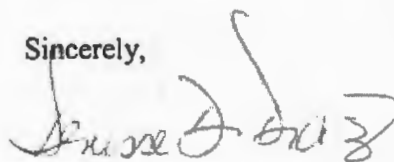
The District shall preserve until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the District of its obligations to EPA or the State of South Carolina, does not create any new rights or defenses, and will not affect EPA's decision to pursue enforcement action.

If you have questions regarding this notice and information request, please feel free to contact Ms. Sara Janovitz at (404) 562-9870.

Sincerely,



Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures (3)

cc: Mr. Glen Trofatter
South Carolina Department of Health and Environmental Control

ENCLOSURE A

SSO PROGRAM

East Richland County Public Service District, South Carolina

1. Provide the following:

- a. The size of the District's Sanitary Sewer Collection System (SSS) (linear feet or miles);
- b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
- c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the District's WWTPs;
- d. The average design flow of the District's WWTP;
- e. The peak design flow of the District's WWTP;
- f. The annual average flow of the District's WWTP; and
- g. The population served by the District's WWTP and its respective SSS.

- 2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.**

Provide a listing of all SSOs that occurred from December 2011 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the District was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the District (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the District has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.
4. Provide a copy of any additional District procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of South Carolina.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the District's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 10 2017

CERTIFIED MAIL 7016 0600 0000 3846 7923
RETURN RECEIPT REQUESTED

Municipal Utilities Board
Attn: Mr. Elden Chumley
General Manager
Post Office Box 130
Albertville, Alabama 35950

Re: Information Request -- Section 308 of the Clean Water Act
NPDES Permit No. AL0020192
MUB Wastewater Treatment Plant (WWTP)

Dear Mr. Chumley:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency hereby requests the Municipal Utilities Board (MUB) to provide the information set forth in Enclosure A regard the facility noted above and its associated sanitary sewer collection system. The MUB is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Ms. Sara Janovitz
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The EPA is issuing this information request to determine the MUB's progress in developing and implementing written Management, Operations, and Maintenance programs and eliminating sanitary sewer overflows as described in the Notice of Violation issued to the MUB on February 9, 2012.

The MUB's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible MUB official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the

information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

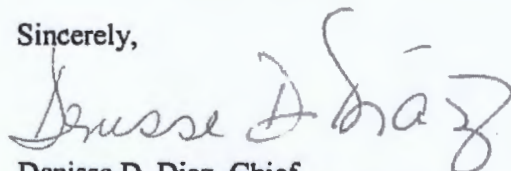
The MUB shall preserve until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the MUB of its obligations to EPA or the State of Alabama, does not create any new rights or defenses, and will not affect EPA's decision to pursue enforcement action.

If you have questions regarding this notice and information request, please feel free to contact Ms. Sara Janovitz at (404) 562-9870.

Sincerely,



Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures (3)

cc: Ms. Glenda Dean
Alabama Department of Environmental Management

ENCLOSURE A

SSO PROGRAM

Albertville Municipal Utilities Board, Alabama

1. Provide the following:
 - a. The size of the MUB's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the MUB's WWTP;
 - d. The average design flow of the MUB's WWTP;
 - e. The peak design flow of the MUB's WWTP;
 - f. The annual average flow of the MUB's WWTP; and
 - g. The population served by the MUB's WWTP and its respective SSS.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from December 2011 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the MUB was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the MUB (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the MUB has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.
4. Provide a copy of any additional MUB procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of Alabama.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the MUB's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS (40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 10 2017

CERTIFIED MAIL 7016 0600 0000 3846 7879
RETURN RECEIPT REQUESTED

City of Cape Coral
Attn: Jeff Pearson
Utilities Director, City of Cape Coral
Post Office Box 150027
Cape Coral, Florida 33915

Re: Information Request – Section 308 of the Clean Water Act
NPDES Permit No. FL0030007
Everest Parkway Water Reclamation Facility (WRF)

Dear Mr. Pearson:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency hereby requests the City of Cape Coral (the City) to provide the information set forth in Enclosure A regarding the facility noted above and its associated sanitary sewer collection system. The City is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Ms. Sara Janovitz
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The EPA is issuing this information request to determine the City's progress in developing and implementing written Management, Operations, and Maintenance programs and rehabilitation of the Wastewater Collection and Transmission System as described in the Notice of Violation issued to the City on February 3, 2014.

The City's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly

responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

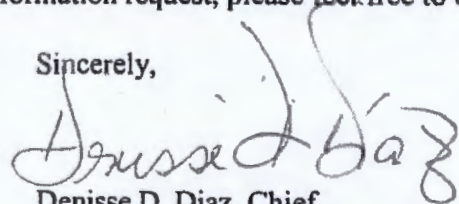
The City shall preserve until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the City of its obligations to EPA or the State of Florida, does not create any new rights or defenses, and will not affect EPA's decision to pursue enforcement action.

If you have questions regarding this notice and information request, please feel free to contact Ms. Sara Janovitz at (404) 562-9870.

Sincerely,



Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures (3)

cc: Ms. Jessica Kleinfelter
Florida Department of Environmental Protection

Mr. Nolin Moon
Florida Department of Environmental Protection

ENCLOSURE A

SSO PROGRAM City of Cape Coral, Florida

1. Provide the following:
 - a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the City's WRF;
 - d. The average design flow of the City's WRF;
 - e. The peak design flow of the City's WRF;
 - f. The annual average flow of the City's WRF; and
 - g. The population served by the City's WRF and its respective SSS.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from December 2011 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the City was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the City (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the City has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.
4. Provide a copy of any additional City procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of Florida.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the City's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS (40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 12 2017

CERTIFIED MAIL 7016 0600 0000 3846 7947
RETURN RECEIPT REQUESTED

City of Durham
Attn: Andy Brogden
Superintendent, Water and Sewer Maintenance
101 City Hall Plaza
Durham, North Carolina 27701

Re: Information Request – Section 308 of the Clean Water Act
NPDES Permit Nos. NC0023841 and NC0047597
North Durham Water Reclamation Facility (WRF) and South Durham WRF

Dear Mr. Brogden:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency hereby requests the City of Durham (the City) to provide the information set forth in Enclosure A regarding the facilities noted above and their associated sanitary sewer collection systems. The City is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Ms. Sara Janovitz
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The EPA is issuing this information request to determine the City's progress in developing and implementing written Management, Operations, and Maintenance programs and rehabilitation of the Wastewater Collection and Transmission System as described in the Notice of Violation issued to the City on October 31, 2013.

The City's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly

responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

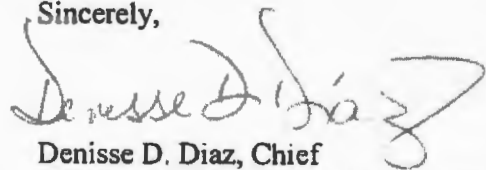
The City shall preserve until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the City of its obligations to EPA or the State of North Carolina, does not create any new rights or defenses, and will not affect EPA's decision to pursue enforcement action.

If you have questions regarding this notice and information request, please feel free to contact Ms. Sara Janovitz at (404) 562-9870.

Sincerely,

A handwritten signature in dark ink, appearing to read "Denisse D. Diaz", with a stylized flourish at the end.

Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures (3)

cc: Mr. Jeff Poupart
North Carolina Department of Environmental Quality

ENCLOSURE A

SSO PROGRAM

City of Durham, North Carolina

1. Provide the following:
 - a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the City's WRFs;
 - d. The average design flow of the City's WRFs;
 - e. The peak design flow of the City's WRFs;
 - f. The annual average flow of the City's WRFs; and
 - g. The population served by the City's WRFs and their respective SSSs.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from December 2011 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the City was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the City (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the City has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.
4. Provide a copy of any additional City procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of North Carolina.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the City's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 10 2017

CERTIFIED MAIL 7016 0600 0000 3846 7886
RETURN RECEIPT REQUESTED

Collier County, Florida
Attn: Dr. G. George Yilmaz
Administrator, Public Utilities Department
3339 Tamiami Trail East, Suite 301
Naples, Florida 34112

Re: Information Request – Section 308 of the Clean Water Act
NPDES Permit Nos. FL0141399 and FL0141356
Collier County North County Water Reclamation Facility (WRF) and Collier County South Regional WRF

Dear Dr. Yilmaz:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency hereby requests Collier County (the County) to provide the information set forth in Enclosure A regarding the facilities noted above and their associated sanitary sewer collection systems. The County is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Ms. Sara Janovitz
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The EPA is issuing this information request to determine the County's progress in developing and implementing written Management, Operations, and Maintenance programs and rehabilitation of the Wastewater Collection and Transmission System as described in the Notice of Violation issued to the County on February 18, 2014.

The County's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible County official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or

persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

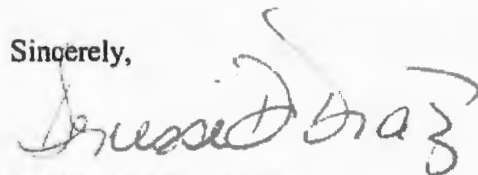
The County shall preserve until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the County of its obligations to EPA or the State of Florida, does not create any new rights or defenses, and will not affect EPA's decision to pursue enforcement action.

If you have questions regarding this notice and information request, please feel free to contact Ms. Sara Janovitz at (404) 562-9870.

Sincerely,



Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures (3)

cc: Ms. Jessica Kleinfelter
Florida Department of Environmental Protection

Mr. Nolin Moon
Florida Department of Environmental Protection

ENCLOSURE A

SSO PROGRAM Collier County, Florida

1. Provide the following:
 - a. The size of the County's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the County's WRFs;
 - d. The average design flow of the County's WRFs;
 - e. The peak design flow of the County's WRFs;
 - f. The annual average flow of the County's WRFs; and
 - g. The population served by the County's WRFs and their respective SSSs.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from December 2011 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the County was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the County (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the County has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.
4. Provide a copy of any additional County procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of Florida.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the County's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 12 2017

CERTIFIED MAIL 7016 0600 0000 3846 7954
RETURN RECEIPT REQUESTED

City of Raleigh
Attn: Robert Massengill
Director, Public Utilities Department
One Exchange Plaza, Suite 620
Raleigh, North Carolina 27601

Re: Information Request – Section 308 of the Clean Water Act
NPDES Permit Nos. NC0029033, NC0030759, and NC0079316
Neuse River Resource Recovery Facility (NRRRF), Smith Creek Wastewater Treatment Plant (WWTP), and the Little Creek WWTP

Dear Mr. Massengill:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency hereby requests the City of Raleigh (the City) to provide the information set forth in Enclosure A regarding the facilities noted above and their associated sanitary sewer collection systems. The City is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Ms. Sara Janovitz
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The EPA is issuing this information request to determine the City's progress in developing and implementing written Management, Operations, and Maintenance programs and rehabilitation of the Wastewater Collection and Transmission System as described in the Notice of Violation issued to the City on March 18, 2013.

The City's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my

inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

The City shall preserve until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the City of its obligations to EPA or the State of North Carolina, does not create any new rights or defenses, and will not affect EPA's decision to pursue enforcement action.

If you have questions regarding this notice and information request, please feel free to contact Ms. Sara Janovitz at (404) 562-9870.

Sincerely,



Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures (3)

cc: Mr. Jeff Poupart
North Carolina Department of Environmental Quality

ENCLOSURE A

SSO PROGRAM

City of Raleigh, North Carolina

1. Provide the following:
 - a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the City's WWTPs;
 - d. The average design flow of the City's WWTPs;
 - e. The peak design flow of the City's WWTPs;
 - f. The annual average flow of the City's WWTPs; and
 - g. The population served by the City's WWTPs and their respective SSSs.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from December 2011 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the City was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the City (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the City has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.
4. Provide a copy of any additional City procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of North Carolina.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the City's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 10 2017

CERTIFIED MAIL 7016 0600 0000 3846 7930
RETURN RECEIPT REQUESTED

City of Florence
Attn: Mr. Michael Doyle
Manager, City of Florence Water/Wastewater Department
Post Office Box 1032
Florence, Alabama 35631

Re: Information Request – Section 308 of the Clean Water Act
NPDES Permit No. AL0023884
Cypress Creek Wastewater Treatment Plant (WWTP)

Dear Mr. Doyle:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency hereby requests the City of Florence (the City) to provide the information set forth in Enclosure A regarding the facility noted above and its associated sanitary sewer collection system. The City is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Ms. Sara Janovitz
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The EPA is issuing this information request to determine the City's progress in developing and implementing written Management, Operations, and Maintenance programs and eliminating sanitary sewer overflows as described in the Notice of Violation issued to the City on February 10, 2012.

The City's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the

information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

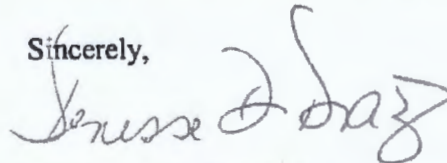
The City shall preserve until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the City of its obligations to EPA or the State of Alabama, does not create any new rights or defenses, and will not affect EPA's decision to pursue enforcement action.

If you have questions regarding this notice and information request, please feel free to contact Ms. Sara Janovitz at (404) 562-9870.

Sincerely,



Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures (3)

cc: Ms. Glenda Dean
Alabama Department of Environmental Management

ENCLOSURE A

SSO PROGRAM City of Florence, Alabama

1. Provide the following:
 - a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the City's WWTP;
 - d. The average design flow of the City's WWTP;
 - e. The peak design flow of the City's WWTP;
 - f. The annual average flow of the City's WWTP; and
 - g. The population served by the City's WWTP and its respective SSS.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from December 2011 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the City was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the City (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the City has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.
4. Provide a copy of any additional City procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of Alabama.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the City's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS (40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

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